

## Exhibit D

### AT&T January 16, 2015 Answer Statements

#### **Missing Requirements in FCC 47 C.F.R §§ 1.724(f) & (g)**

Page D-0001 to 2 Proposed Order

Page D-0003 - Summary of the paragraph references in AT&T January 16, 2015 to items in Proposed Order

Page D-0004 - 0016 AT&T January 16, 2016 Answer with references next to the statement that the Proposed Order documents should have been included in the January 16, 2016 Answer per 47 C.F.R §§ 1.724(f) &(g)

Page D-0017 AT&T Employees with First Hand Knowledge of events 47 C.F.R §§ 1.724(f) (1)

**Proposed Order for Motion to Compel FCC rules 47 C.F.R. § 1.724 Answer and 47 CFR § 1.17 - Truthful and Accurate Statements to the Commission.**

AT&T is required to produce requirements under 47 C.F.R. § 1.724 Answer including but not limited to the following 1.724 (f)<sup>1</sup> & (g)<sup>2</sup> and the following:

1) Produce any and all documents internal and external, emails, working papers, logs, submitted to others, filings for the porting of 847-768-0000 started on or about 12/10/2009 and 847-768-0400 started on or about 12/10/2009 plus 2011 porting started on or about 3/18/2011 porting of all 4 numbers 847- 768-0400, 847-768-0000, 847-744-5626 and 847-917-2384 through 12/31/11. This should include all communication to and from other companies or carriers, including but not limited to FCC, Neustar, North American Numbering Council (NANC), Number Portability Administration Center Service Management System (NPAC), other government agencies and other companies regarding porting of all these numbers. Names of AT&T employees with firsthand knowledge per 47 C.F.R. § 1.724(f) & (g).

2) Produce any and all documents from AT&T internal investigation regarding the inability to port service for Claimant, the FCC Informal Complaint 11-C00292341 from March 24, 2011 date filing of the FCC informal complaint to the present include all documents, work papers, internal and external correspondence, emails, and proof delivery of the required copy to James Chelmowski. Including the AT&T internal case number and AT&T full internal case file. Names of AT&T employees with firsthand knowledge per 47 C.F.R. § 1.724(f) & (g).

3) Produce any and all documents from AT&T internal investigation regarding the inability to port service for Claimant, the FCC Informal Complaint 11-C00292341 from date filing of the FCC informal complaint to the present include all documents, work papers, internal and external correspondence, emails, and proof delivery of the required copy to James

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<sup>1</sup> Sec. 1.724 Answers. (f) The answer shall include an information designation containing:

(1) The name, address, and position of each individual believed to have firsthand knowledge of the facts alleged with particularity in the answer, along with a description of the facts within any such individual's knowledge;  
(2) A description of all documents, data compilations and tangible things in the defendant's possession, custody, or control, that are relevant to the facts alleged with particularity in the answer. Such description shall include for each document:

(i) The date it was prepared, mailed, transmitted, or otherwise disseminated;  
(ii) The author, preparer, or other source;  
(iii) The recipient(s) or intended recipient(s);  
(iv) Its physical location; and  
(v) A description of its relevance to the matters in dispute.

(3) A complete description of the manner in which the defendant identified all persons with information and designated all documents, data compilations and tangible things as being relevant to the dispute, including, but not limited to, identifying the individual(s) that conducted the information search and the criteria used to identify such persons, documents, data compilations, tangible things, and information;

<sup>2</sup> Sec. 1.724 Answers. (g) The answer shall attach copies of all affidavits, documents, data compilations and tangible things in the defendant's possession, custody, or control, upon which the defendant relies or intends to rely to support the facts alleged and legal arguments made in the answer.

Chelmowski. Including provide the AT&T author of this letter and AT&T employees with firsthand knowledge per 47 C.F.R. § 1.724(f) & (g).

4) Produce any and all documents internal and external and all emails with regards to Jim Chelmowski or James Chelmowski (Claimant) or any of his phone numbers from 12/01/2009 to the present. AT&T SEG takes only seconds or minutes for production of all these documents. Include all certification from AT&T SEG, amdocs, intelligence, etc. of completeness, etc.

AT&T answering statement requiring the Discovery and/or Compel 1.724(f) and 1.724(g) items

Discovery item #1 had 76 reference statements nothing produced

Discovery item #2 had 52 references only produced 4/11/11 letter which concealed March and April 2011 AT&T porting rejections

Discovery item #3 55 references only produced 4/11/11 letter which concealed March and April 2011 AT&T porting rejections again refuses to disclose author required 1.724(f) 1, 2ii an 1.724 (g)

Discovery item #4 had 62 references nothing produced

References in the January 16, 2015 Answer:

Discovery item #1 - ¶ #1 (3 statements), ¶ #2 (6 statements), ¶ #3 (4), ¶ #4 (2), Par ¶ #5 (5), Par ¶ #6 (1), Par ¶ #7 (2), ¶ #8 (5), ¶ #9 (3), ¶ #10 (3), ¶ #11 (2), ¶ #13 (1), , ¶ #14 (2), , ¶ #15 (4), ¶ #16 (1), ¶ #17 (1), ¶ #18 (2), ¶ #19 (1), ¶ #20 (3), ¶ #22 (2), , ¶ #23 (5), ¶ #24 (1), ¶ #25 (2), ¶ #26 (4), ¶ #27 (3), ¶ #28 (1), ¶ #29 (4), ¶ #30 (3)

Discovery item #2 Paragraph ¶ #2 , ¶ #3 (4), Par ¶ #4 (2), Par ¶ #5 (3), Par ¶ #6 (1) , ¶ #9 (2), ¶ #10 (3) , ¶ #15 (3) , ¶ #16 (1) , ¶ #17 (1) , ¶ #18 (2) , ¶ #19 (1) , ¶ #20 (3) , ¶ #22 (2) , ¶ #23 (5) , ¶ #24 (4) , ¶ #25 (3) , ¶ #26 (4) , ¶ #27 (3) , ¶ #28 (1) , ¶ #29 (3) , ¶ #30 (3)

Discovery item #3 Paragraph ¶ #2 , ¶ #3 (4), Par ¶ #4 (2), Par ¶ #5 (3), Par ¶ #6 (1) , ¶ #9 (2), , ¶ #14 (3) , ¶ #15 (3) , ¶ #16 (1) , ¶ #17 (1) , ¶ #18 (2) , ¶ #19 (1) , ¶ #20 (3) , ¶ #22 (2, ¶ #23 (5)) , ¶ #24 (4) , ¶ #25 (3) , ¶ #26 (4) , ¶ #27 (3) , ¶ #28 (1) , ¶ #29 (3), ¶ #30 (3)

Discovery item #4 Par ¶ #3 (5), Par ¶ #4 (3), Par ¶ #5 (5), Par ¶ #6 (1), Par ¶ #7 (2) , ¶ #9 (3), , ¶ #10 (2), ¶ #11 (2) , ¶ #12 (1), , ¶ #13 (1), ¶ #14 (2), ¶ #15 (4) , ¶ #16 (1) , ¶ #17 (1) , ¶ #18 (2) , ¶ #19 (1) , ¶ #20 (2) , ¶ #22 (1) , ¶ #23 (5) , ¶ #24 (2) , ¶ #25 (3) , ¶ #26 (4) , ¶ #27 (1) , ¶ #28 (1) , ¶ #29 (3) , ¶ #30 (3)

AT&T Mobility LLC (“AT&T”) submits this Answer (the “Answer”) to the Complaint filed by James Chelmowski on December 11, 2014 (the “Complaint”)<sup>1</sup>, in the above-captioned proceeding before the Federal Communications Commission (the “Commission”).

1.724 Answer - (g) The answer shall attach copies of all affidavits, documents, data compilations and tangible things in the defendant's possession, custody, or control, upon which the defendant relies or intends to rely to support the facts alleged and legal arguments made in the answer.

## **I. INTRODUCTION**

1. Mr. Chelmowski’s dispute essentially arises from the submission of an inaccurate number porting request (Local Service Request or “LSR”) to AT&T Mobility on January 18, 2010 from Mr. Chelmowski’s new service provider, XO Communications. <sup>#1</sup> The telephone number was (847) 768-0400 (the “0400” number). The port did not occur because the account information provided by XO Communications was incorrect. <sup>#1</sup> That port request was never modified or cancelled by XO Communications. <sup>#1</sup>

2. A little over a year later, in March of 2011, Mr. Chelmowski attempted to port three additional numbers, along with the 0400 number that was the subject of the 2010 port request, to OOMA Communications, a VOIP provider which used U.S. Xchange d/b/a Choice One as its telecommunications service provider to facilitate the port requests. <sup>#1</sup> All three of the numbers not included in the original XO port request were successfully ported in March of 2011. <sup>#1</sup> The 0400 number was not ported successfully; first because Choice One included an incorrect account number on the LSR, then, after the account number was corrected in a modified port request, <sup>#1</sup> because of the still pending, never modified and inaccurate port request submitted by XO the year before. <sup>#1</sup> Mr. Chelmowski’s service on the 0400 number was later terminated for non-payment and the 0400 number was cancelled. While Mr. Chelmowski’s Complaint is not entirely

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<sup>1</sup> In this Answer, AT&T cites Mr. Chelmowski’s Complaint as “Complaint at ¶ \_\_.” The Complaint includes an appendix labeled “Exhibits” that is bates numbered as Ex 00001-0000146. AT&T cites this appendix as “Compl. Ex 0000\_.”

clear, the gist of the allegations are that AT&T violated the number porting rules with respect to the LSR's relating to the 0400 number and the rules regarding informal complaints in connection with its responses to 3 subsequent informal complaints filed by Mr. Chelmowski regarding the same set of circumstances.

3. For the reasons stated below, Mr. Chelmowski's claims should be rejected. Mr. Chelmowski had a full and fair hearing of these claims in an arbitration proceeding before the American Arbitration Association which he initiated and at which he was represented by counsel. The arbitrator rejected all of his claims on the merits. Moreover, the claims are time-barred, stemming from incidents that occurred more than 3 years ago. Mr. Chelmowski cannot evade this statutory requirement simply by filing a third informal complaint merely repeating the same claims he failed to prove in the arbitration proceeding. His own representations in the Complaint make clear that at the time, in 2011, he understood the fact that the port did not go through and communicated directly and repeatedly with AT&T about this. Indeed, he filed two complaints with the FCC in 2011 and one with the Illinois Attorney General regarding the port failure. In addition, he engaged in extensive discovery in the arbitration proceeding and participated in a full evidentiary hearing. His claims of "fraudulent concealment" therefore ring hollow. Moreover, Mr. Chelmowski has been attempting to re-litigate the same claims before a federal judge in Illinois since September of 2014, before this Complaint was filed. Even if his claims were not barred by res judicata, the statute of limitations and the choice of forum provision contained in 47 U.S.C. § 207, they have no basis in fact, and should therefore be rejected on the merits.

4. Mr. Chelmowski has a long history of exhibiting abusive behavior toward AT&T. He has yelled at and hung up on AT&T customer service representatives who attempted to assist

<sup>#1, #2, #3, #4</sup>  
him with these and other issues.<sup>2</sup> He sent a barrage of emails to executives and board members of AT&T claiming that AT&T was attempting to destroy him and was endangering his life.<sup>3</sup> He has filed multiple complaints against AT&T asserting the same claims he asserts here—three informal and one formal complaint with the FCC, one informal complaint to the Illinois Attorney General, an arbitration demand (which was fully litigated at significant cost to both AT&T and Mr. Chelmowski, and which he lost). Following the arbitrator’s decision to deny all of his claims, Mr. Chelmowski filed a complaint with the Illinois Attorney Registration and Disciplinary Commission of the Supreme Court of Illinois against the in-house AT&T attorney who handled the arbitration. Last summer he filed a lawsuit in Cook County, Illinois, seeking to overturn the arbitrator’s ruling and re-litigate the same claims, which AT&T removed to federal court in the Northern District of Illinois. He has issued subpoenas to AT&T and recently has initiated a second arbitration proceeding with the American Arbitration Association.

5. While we can appreciate and sympathize with Mr. Chelmowski’s disappointment with respect to the unsuccessful number port, it stems from an inaccurate LSR submitted by Mr. Chelmowski’s service provider, XO Communications, to AT&T 5 years ago to port a number that had little to no usage. The reasons for the failed port have been explained to him over and over and were a primary subject of the arbitration proceeding that was concluded last year. It is perhaps unfortunate for Mr. Chelmowski, but it is not AT&T’s fault and it is far in the past. In the intervening years, he has taken out his frustration on AT&T, inflicting verbal abuse on our

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<sup>2</sup> See, e.g. In the Matter of the Arbitration Between James Chelmowski, Claimant, and AT&T, Respondent, AAA Case No. 51-20-1300-0263, Transcript of Proceedings, May 29, 2014 (Attached as Exhibit 1)(cited herein as “Transcript”) at 225-231; 177-190). See also, Informal Complaint of James Chelmowski, No. 11-C00292341-1 (filed March 23, 2011, served April 13, 2011)(Attached as Exhibit 2)(the complaint includes a copy of a letter dated March 17, 2011 from Stephanie Maidlow to James Chelmowski addressing his abusive behavior).

<sup>#1, #2, #3, #4</sup>

<sup>3</sup> See, e.g., Transcript at 177-190.

#4

employees, email bombing our executives, impugning the integrity of our employees and attorneys, filing multiple informal complaints, and litigating and re-litigating the matter, imposing huge costs on AT&T. The FCC should not only reject his claims, but should make it #1, #2, #3, #4 clear to Mr. Chelmowski that at the FCC, the matter is over and done.

## II. STATEMENT OF THE CASE

6. For the most part, it is difficult to give specific responses to each of the assertions the numbered paragraphs set forth in Mr. Chelmowski's Complaint. Many of the assertions in the numbered paragraphs of the Complaint are not assertions of fact, but opinion, or legal conclusions. Many are not supported by citation to supporting facts or law, as required under the FCC's rules. Moreover, the meaning of portions of his assertions is not entirely clear. Some of the Complaint Exhibits are entirely illegible and unintelligible.<sup>4</sup> Each of these factors complicates the task of attempting to answer the allegations in the Complaint. Accordingly, in its Answer, AT&T sets forth its statement of the relevant facts and applicable law in roughly chronological order for the sake of clarity. While the paragraph numbers in this Answer do not purport to correspond to the numbered paragraphs in the Complaint, AT&T believes that its 1.724 requires #1, #2, #3, #4 Answer responds specifically to all *material* allegations in the Complaint. To the extent that AT&T does not directly address any portion of the assertions in Mr. Chelmowski's Complaint, they are hereby denied.

7. In January of 2010, Mr. James Chelmowski was a customer of AT&T Mobility, #1, #4 with four lines of service; (847) 744-5626, (847) 768-0000, (847) 768-0400 and (847) 917-2384.

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<sup>4</sup> See, e.g. Compl. Ex. at 18-19, 36-38.



On January 18, 2010, AT&T received an LSR from XO communications, requesting a port of the 0400 number on behalf of its customer, James Chelmowski.<sup>5</sup> The port did not include the correct account number and was rejected by AT&T's automated LNP tool.<sup>6</sup>

8. In March and April of 2011, AT&T received multiple porting requests from Choice One, on behalf of its wholesale customer, Ooma, and Ooma's retail customer, James Chelmowski, to port 4 telephone numbers (including the 0400 number) from AT&T Mobility to Choice One.<sup>7</sup> While the other three numbers were ported successfully, the 0400 number was not ported, first due to an incorrect account number on the Choice One LSR, then, after that was corrected, because of the pending LSR submitted by XO Communications the year before, which had never been modified or cancelled by XO.<sup>8</sup>

9. Mr. Chelmowski reports having contacted AT&T directly about the failed port request on numerous occasions around this time.<sup>9</sup> AT&T explained to him at the time that the failure was caused initially by the incorrect LSR submitted by Choice One, and the "open port request" from XO Communications that was incorrect and was never corrected or cancelled.<sup>10</sup>

10. On March 23, Mr. Chelmowski filed an informal complaint with the FCC regarding the failed port of the 0400 number.<sup>11</sup> AT&T responded to the FCC, on April 11, 2011,

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<sup>5</sup> Transcript at 238-240.

<sup>6</sup> Id. at 239.

<sup>7</sup> Id at 244-245.

<sup>8</sup> Id at 245-246.

<sup>9</sup> Complaint at ¶¶ 58, 64-65, 67.

<sup>10</sup> Transcript at 244-246; Compl. Ex. at 0069 (notes of a call from Mr. Chelmowski to AT&T customer care on April 18, 2011, at 15:19:56 which states, in part, "NEED WLNP-PORT OUT/CUSTOMER/CHECK PORT STATUS . . . WANTING TO KNOW WHY PORT OUT REQUEST OF 8477680400 HAD NOT COMPLETED. FOUND A PORT REQUEST FROM ANOTHER PROVIDER THAT NEEDS TO BE CANCELLED OUT FIRST.")

<sup>11</sup> Exhibit 2.

AT&T Statement Paragraph 23 states Mr. Chelmowski repeatedly called AT&T for help, So both these statements can not be true. AT&T 4/11/11 telling the FCC he never called for deception to conceal the 2011 porting rejections, or the statement in Paragraph 23 stated Mr. Chelmowski had knowledge AT&T alleged fact of XO order was still open?

with a copy to Mr. Chelmowski, essentially stating that it attempted to contact Mr. Chelmowski  
#2, #4  
to discuss or resolve the complaint, but was unable to reach him.<sup>12</sup>

11. On April 13, 2011, AT&T received a complaint from the Illinois Attorney General's office that Mr. Chelmowski had filed with that office, regarding the failed port of the  
#1, #4  
0400 number. AT&T responded to this complaint on April 25, 2011.<sup>13</sup> In its response, AT&T explained that it attempted on multiple occasions to contact Mr. Chelmowski to discuss his complaint, but was unsuccessful in its attempts to speak with him. AT&T explained that the unsuccessful port of the 0400 number in 2011 stemmed from the 2010 port request from XO  
#1, #4  
Communications, which had never been cancelled by XO.<sup>14</sup>

12. Eventually, Mr. Chelmowski's account was terminated for non-payment. At that point, his unpaid balance was \$406.72. AT&T subsequently issued a credit based on a proration of his last month's bill, although it was not required to do so, leaving his final unpaid balance at \$345.88<sup>15</sup>

13. On July 18, 2011, the 0400 number became unassigned, and was returned to  
#1, #4  
Ameritech, to whom it had been originally allocated by NANPA.<sup>16</sup>

14. On August 31, 2011, AT&T received from the FCC an informal complaint filed  
#3  
by Mr. Chelmowski to which it responded, on September 22, 2011, with a copy to Mr.  
#3, #4 (#1),  
The response stated no 2011 AT&T porting rejections!

AT&T Statement Paragraph 23 states Mr. Chelmowski repeatedly called AT&T for help, So both these statements can not be true. AT&T 9/22/11 telling the FCC he never called for deception to conceal the 2011 porting rejections, or the statement in Paragraph 23 stated Mr. Chelmowski had knowledge AT&T alleged fact of XO order was still open?

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<sup>12</sup> Compl. Ex. at 0030; Exhibit 3.

<sup>13</sup> Compl. Ex at 0135.

<sup>14</sup> Id.

<sup>15</sup> Transcript at 248-250.

<sup>16</sup> Id. at 269. Compl. Ex. at 0100.

**The response stated no 2011 AT&T porting rejections!**

Chelmowski.<sup>17</sup> In its response, AT&T explained that the 2011 port did not go through due to  
#1, #3, #4  
the open port request made by XO Communications a year earlier.<sup>18</sup>

15. On February 26, 2013, Chelmowski initiated an arbitration proceeding with the  
#1, #4  
American Arbitration Association, (the “Arbitration”) regarding the same set of facts, alleging  
that AT&T had violated the Communications Act and the porting rules, the exact claims he now  
#1, #2, #3, #4  
asserts in this proceeding (as well as the prior informal complaints to the FCC and Illinois), that  
AT&T had committed “conversion,” and that AT&T had committed “fraud,” the latter claim  
#1, #2, #3, #4  
alleging essentially the same facts that Chelmowski asserts here to support his “fraudulent  
concealment” theory, namely that AT&T concealed the facts surrounding the failed port from  
#1, #2, #3, #4  
Mr. Chelmowski, the FCC and the Illinois Attorney General.<sup>19</sup>

16. As Mr. Chelmowski notes in his complaint, both parties to the Arbitration were  
#1, #2, #3, #4  
permitted discovery, with Mr. Chelmowski at one point even filing a motion to compel further  
discovery from AT&T.<sup>20</sup> After two telephonic hearings with the parties regarding Mr.  
Chelmowski’s motion to compel, it was denied.<sup>21</sup>

#1, #2, #3, #4

17. On May 29, 2014, a full evidentiary hearing was held on Mr. Chelmowski’s AAA  
complaint, with each side calling witnesses and a stenographer recording the sworn testimony  
and documenting the exhibits entered into evidence.<sup>22</sup> Subsequently, each party submitted a

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<sup>17</sup> Exhibit 4, 5; Compl. Ex at 0029.

<sup>18</sup> Exhibit 5.

<sup>19</sup> Id. at 0077-0096.

<sup>20</sup> Complaint at ¶¶ 80-81.

<sup>21</sup> Exhibit 6.

<sup>22</sup> Transcript, generally.

post hearing brief, and at the close of the proceeding, the Arbitrator ruled that Mr. Chelmowski had failed to prove his case with respect to any of his claims.<sup>23</sup>

18. On August 15, 2014, Mr. Chelmowski filed a complaint in state court in Illinois, alleging essentially the same facts on which he bases his claims in this Complaint, as well as alleging bias on the part of the AAA, seeking to have the arbitration order overturned.<sup>24</sup> AT&T removed the case to federal court in the Northern District of Illinois on the basis of federal jurisdiction on September 18, 2014.<sup>25</sup> This case, which includes the same damage claims and **#1, #2, #3, #4** allegations Mr. Chelmowski makes here -- that AT&T violated the Communications Act and the **#1, #2, #3, #4** porting rules, and that AT&T concealed the facts from Mr. Chelmowski and the FCC<sup>26</sup> -- is currently pending in federal court. **AT&T arbitration agreement states rights to both FCC and arbitration - No rights to litigate in US district court**

**III. MR. CHELMOWSKI'S CLAIMS ARE BARRED UNDER THE DOCTRINE OF RES JUDICATA.** **AT&T arbitration agreement states rights to both FCC and arbitration - No rights to litigate in US district court**

19. The formal arbitration proceeding Mr. Chelmowski initiated with the AAA disposed of the same claims he raises in the Complaint. In that proceeding, Mr. Chelmowski was **#1, #2, #3, #4** represented by counsel. He participated in discovery, including motions regarding the scope of that discovery. The Arbitrator held a full evidentiary hearing. Each side submitted post-hearing briefing. With respect to Mr. Chelmowski's case, the arbitrator ruled in AT&T's favor on all claims.

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<sup>23</sup> Exhibit 7, 8; Compl. Ex. at 0090-96, 0042-48; Exhibit 9.

<sup>24</sup> Exhibit 10.

<sup>25</sup> Exhibit 11.

<sup>26</sup> See Exhibit 10 at ¶¶ 16-20.

20. Mr. Chelmowski's claims here are therefore barred under the doctrine of res judicata. Under FCC precedent, three elements must be present for a claim to be barred by judgment in a prior action. "The prior action must have: (1) shared a common nucleus of operative facts with the subsequent action; (2) resulted in a final judgment on the merits; and (3) involved the same parties or their privies. If these elements are present, res judicata operates to bar the subsequent litigation not only of the claims actually litigated in the earlier action, but also of any claims that *could have been* litigated in the earlier action."<sup>27</sup> All of these factors apply in this case. Like the Arbitration, this case concerns allegations regarding the failed port of the 0400 number, violations of the Communications Act and FCC rules regarding porting, and whether AT&T concealed the facts regarding the port from the FCC or Mr. Chelmowski. The Arbitration resulted in a final judgment on the merits, and involved the same parties. There is no claim raised in this formal complaint that could not have been litigated in the "earlier action."

21. Having had the opportunity to have these issues and claims fully and fairly litigated, the arbitrator's judgment represents bars Mr. Chelmowski from re-litigating these issues before the FCC.

1.724 Answer - (g) The answer shall attach copies of all affidavits, documents, data compilations and tangible things in the defendant's possession, custody, or control, upon which the defendant relies or intends to rely to support the facts alleged and legal arguments made in the answer.

#### **IV. MR. CHELMOWSKI'S CLAIMS ARE TIME-BARRED UNDER SECTION 415(b).**

22. The circumstances that led to this complaint occurred in 2010 and 2011, more than 3 years ago. Under Section 415(b) of the Communications Act, the statute of limitations bars Mr. Chelmowski from filing a formal damages complaint about them now.<sup>28</sup> Mr. Chelmowski admits to being aware of, and complaining to AT&T about the failed port of the 0400 number in

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<sup>27</sup> Teleservices Industry Assoc. v. AT&T, File No. E-97-25, 15 FCC Rcd. 21454, 21457 at ¶8 (2000).

<sup>28</sup> 47 U.S.C. § 415(b).

#1, #2, #3

2011. In addition, AT&T fully responded to two informal complaints filed by Mr. Chelmowski  
#1  
with the FCC in 2011 and one filed with the Illinois Attorney General in 2011.

23. To show “fraudulent concealment” sufficient to justify tolling the applicable statute  
#1, #2, #3, #4  
of limitations, Mr. Chelmowski would have to demonstrate that due to AT&T’s alleged  
#1, #2, #3, #4  
concealment, he was prevented from discovering his claims at the time they arose.<sup>29</sup> It is plain  
#1, #2, #3, #4  
that there was no “fraudulent concealment,” and that Mr. Chelmowski was not prevented from  
#1, #2, #3, #4  
learning of the fact of the failed port or the reasons for it—indeed, his repeated telephone calls to  
**AT&T Statement states the FCC responses Mr. Chelmowski never called AT&T FRAUDULENT**  
AT&T and complaints to the FCC and state officials in 2011 demonstrate that he was well aware  
#1, #2, #3, #4  
of the facts and of his claims. He cannot now claim he was prevented from learning of the these  
issues by AT&T’s alleged “concealment.”

24. Similarly, Mr. Chelmowski would have been aware in 2011 if AT&T had failed to  
#1, #2, #3, #4  
respond to his informal complaints, as he now alleges. The informal complaint forms upon  
which Mr. Chelmowski submitted his informal complaints specifically advise him of the fact that  
#2, #3  
the carrier is obligated to send a copy of the response to the complainant, stating on their face  
#2, #3  
that the “defendant carrier must, within a defined time frame, either satisfy the complaint or  
explain to the Commission and the complainant its failure to do so.”<sup>30</sup> Accordingly, if AT&T  
#2, #3, #4  
had actually failed to send him copies of its responses to his informal FCC complaints in 2011,  
which AT&T denies, he would have been aware of it in 2011, more than 2 years before his  
Complaint was filed.

25. Mr. Chelmowski also attempts to resurrect his claims by pointing to yet another  
#2, #3, #4  
informal complaint regarding the same claims, filed on July 31 2014, to which AT&T responded

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<sup>29</sup> See, e.g. Valenti v. AT&T, 12 FCC Rcd 2611. 2621-22 (1997) at ¶ 24 (Without proof of “fraud or deceit having been practiced by the defendants upon complainant to prevent him from becoming aware of the facts which are the basis of [his] claim[s],” there can be no tolling of the statute of limitations.)

<sup>30</sup> See, e.g. Exhibit 2. He also had constructive notice of the carrier’s obligations under 47 CFR § 1.717.

on August 8, 2014.<sup>31</sup> But there is nothing new here. Indeed, Mr. Chelmowski did not file the  
#1, #2, #3, #4  
most recent informal complaint until well after the statute of limitations had run (and the  
judgment in the Arbitration had gone against him). The fact that this formal complaint was filed  
#1, #2, #3, #4  
within 6 months of this last informal complaint is therefore irrelevant.

26. Mr. Chelmowski's claim that the statute of limitations is tolled under the "continuing harm theory"<sup>32</sup> is also unavailing. The time limits in Section 415(b) are strict: "Section 415  
#1, #2, #3, #4  
serves as an absolute, non-discretionary bar to the Commission's consideration of tardy complaints."<sup>33</sup> Absent proof of fraudulent concealment, which cannot be demonstrated in this case, the statute may not be tolled.<sup>34</sup> Even if the FCC could allow an exception to the time limits in Section 415 based on a theory of continuing harm, Mr. Chelmowski's allegations do not  
#1, #2, #3, #4  
amount to continuing harm. He claims that his damages stem from discrete acts by AT&T to block a number port and to cover it up. There are no allegations of any violations of the Communications Act that are continuing in nature. As his own authorities indicate, the  
#1, #2, #3, #4  
continuing harm theory requires that defendant's acts be continuing, not just continuing ill-effects to the plaintiff from alleged prior acts.<sup>35</sup> The facts alleged in the complaint, even if they  
#1, #2, #3, #4  
were true, simply do not assert continuing harm.<sup>36</sup>  
#1, #2, #3, #4

27. Mr. Chelmowski brought this complaint for the recovery of damages from a carrier, AT&T.<sup>37</sup> The facts that give rise to his claims, the porting failure, the relevant informal  
#2, #3, (#1)  
complaints to the FCC and AT&T's responses to those complaints, all occurred in 2011, more

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<sup>31</sup> Complaint at ¶ 42; Exhibit 12

<sup>32</sup> Complaint at ¶¶ 48-51.

<sup>33</sup> American Cellular Corp. v. BellSouth Telecommunications, Inc., 22 FCC Rcd. 1083, 1089 at ¶14 (2007)

<sup>34</sup> *Id.* at 1090.

<sup>35</sup> Complaint at ¶ 48 (citing authorities).

<sup>36</sup> *See, e.g.* Complaint at ¶¶ 49-51 (alleging various improprieties in the discovery process during the Arbitration).

<sup>37</sup> Complaint at ¶¶ 8, 96-100. #1, #2, #3, #4

than 3 years before he filed the Complaint. Mr. Chelmowski plainly was aware of the facts in #1, #2, #3, #4 2011. There is no “fraudulent concealment” or other grounds for tolling the time limits. His claims are barred under Section 415(b).

**V. MR. CHELMOWSKI MAY NOT FILE A FORMAL COMPLAINT WITH THE FCC WHILE HE IS PURSUING THE SAME CLAIMS IN FEDERAL COURT.**

28. Under Section 207 of the Communications Act, a party can sue for damages either in federal court or by filing a formal complaint with the FCC, but it cannot do both.<sup>38</sup> Prior to December 11, 2014, Mr. Chelmowski already was pursuing the same claims in federal court. His complaint in that proceeding specifically alleges that he is entitled to damages for the same alleged porting rules violations and the same alleged fraud as he has alleged in his Complaint here.<sup>39</sup> Although his litigation complaint originally was filed in state court, it was properly removed to the Northern District of Illinois. “Section 207 bars parallel claims in both federal #1, #2, #3, #4 court and before the Commission.”<sup>40</sup> Because Mr. Chelmowski was already pursuing in federal court the same damage claims he wishes to re-litigate here before his Complaint was even filed, his Complaint should be rejected.

1.724 Answer - (g) The answer shall attach copies of all affidavits, documents, data compilations and tangible things in the defendant's possession, custody, or control, upon which the defendant relies or intends to rely to support the facts alleged and legal arguments made in the answer.

**VI. MR. CHELMOWSKI’S COMPLAINT LACKS MERIT.**

29. Even if Mr. Chelmowski’s Complaint were properly before the Commission, and for #1, #2, #3, #4 the reasons stated above, it is not, the evidence included with this Answer, together with his Complaint and Complaint Exhibit, makes clear that Mr. Chelmowski’s allegations should be

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<sup>38</sup> 47 U.S.C. § 207.

<sup>39</sup> Exhibit 10 at ¶¶ 16-20.

<sup>40</sup> American Sharecom v. Mountain States Tel. & Tel., 8 FCC Rcd. 6727, 6728 at ¶ 9 (1993).



#1

rejected on the merits. The fact that the 0400 number was never successfully ported is not disputed, but it is clear that the failure lies with XO Communications, who submitted the incomplete LSR, but failed to either withdraw it or modify it. There was no “fraudulent concealment.” Mr. Chelmowski filed numerous complaints (to the FCC and IAG) about this port failure in 2011, to which AT&T timely responded with copies to Mr. Chelmowski.

In sum, Mr. Chelmowski’s claims should be rejected for all of these reasons.

1.724 Answer - (g) The answer shall attach copies of all affidavits, documents, data compilations and tangible things in the defendant's possession, custody, or control, upon which the defendant relies or intends to rely to support the facts alleged and legal arguments made in the answer.

#### **Information Designations and Exhibit List per Rule 1.724(f), (g).**

#1, #2, #3, #4

The claims raised by Mr. Chelmowski in his Complaint were fully and fairly litigated in the Arbitration. Prior to that proceeding, both sides were accorded full discovery. To support the factual assertions in its Answer, AT&T relies on the sworn testimony and documentary evidence adduced in the Arbitration proceeding, together with documents from the Complaint Exhibit (many of which were produced by AT&T to Mr. Chelmowski in the Arbitration), and public documents, such as Mr. Chelmowski’s FCC complaints, AT&T’s replies and documents from Mr. Chelmowski’s federal court litigation. Accordingly, for its designation, AT&T proposes to include only the items on its exhibit list below.<sup>41</sup>

#### **LIST OF EXHIBITS**

1. Exhibit 1: *Chelmowski v. AT&T*, AAA Case No. 51-20-1300-0263, Transcript of Proceedings (May 29, 2014).

#1, #2, #3, #4

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<sup>41</sup> To the extent necessary, AT&T hereby requests a waiver from the requirements of Rule 1.724(f), pursuant to Rules 1.724(j) and 1.3. Given the propensity of Mr. Chelmowski to verbally abuse AT&T’s employees, barrage its executives with emails, and impose the costs of serial litigation over the loss of a phone number that was seldom if ever used, AT&T submits that there is good cause to waive the requirement to identify additional persons and documents in this instance, particularly where, as here, both parties already have had a full opportunity to take discovery regarding the claims alleged. AT&T does not object to waiving this requirement in connection with Mr. Chelmowski’s reply.

1.724 Answer - (g) The answer shall attach copies of all affidavits, documents, data compilations and tangible things in the defendant's possession, custody, or control, upon which the defendant relies or intends to rely to support the facts alleged and legal arguments made in the answer.

# AT&T Employees with Firsthand Knowledge

Required by AT&T for FCC Sec. 1.724 Answers (f) (1)

These names were concealed by AT&T in the 1/16/15 Answer

	D			
	A	B	C	D
Motion to	LNP Rejections 3/24 to 4/28 Rejecting porting 0400	FCC Complaint 4/11 to 4/12 Complaint 11-C00292341 Concealed March & April 2011 AT&T Porting Rejections	FCC Complaint Filing 8/18 Complaint Appears that AT&T Filed since not filed by Mr. Chelmoski	FCC Complaint 8/31 to 9/23 Complaint 11-C00325771 Concealed March & April 2011 AT&T Porting Rejections
	Compel Item #1 & #4	Compel Item #1, #2 & #4	Compel Item #1, #3 & #4	Compel Item #1, #3 & #4
Answer Conceal	AT&T LNP department <u>By AT&amp;T Logs</u> Tene Burse James Camberis Troy Rudloff Nate Camper Stephanie Maidlow Sheri Baker Matre Dominc Matthew Hampson <u>By Email Open Log</u> Randall Stephenson John Stankey Wayne Watts Rayford Wilkins Brooks Mccorcle Christopher Womack Derek Roy Jeff Fancher	<u>By AT&amp;T Logs</u> Margaret Trammel <u>By Emails Opens</u> Randall Stephenson Rayford Wilkins Wayne Watts Brooks Mccorcle Christopher Womack Derek Roy Jeff Fancher	<u>By Email Open Log</u> Randall Stephenson Wayne Watts	<u>By AT&amp;T Logs</u> AT&T id Sheri Baker SB1402 James Camberis JC1073 Director Review DR7011 Fernando Folgoso FF6407 ?? YV7189 ?? LP9597 <u>By Email Open Log</u> Randall Stephenson Ralph Delavega John Stankey Wayne Watts Brooks Mccorcle
	Blanket Denial	Blanket Denial	Blanket Denial	Blanket Denial
	All dates and documents	Concealed all 2011 portings &	Concealed Everything!!	Concealed all 2011 portings &
	Admission the 2011 Fraud	AT&T internal Docs, Case files, & proof of delivery		AT&T internal Docs, Case files, & proof of delivery
	47 CFR 52.35 & 36	47 CFR 1.717	47 CFR 1.717	47 CFR 1.717
	fraudulent concealed	fraudulent concealed	fraudulent concealed	fraudulent concealed
	AT&T 0400 Rejections	FCC stated filed on 3/23/11	FCC stated filed on 8/18/11	FCC stated filed on 8/18/11
	in March and April of 2011	FCC service date 4/13/11		FCC service date 8/31/11
	3/22, 3/24, 3/31	FCC received response 4/12/11		FCC received response 9/23/11
	4/4, 4/5, 4/6 & 4/20	AT&T date on NOIC 4/11/11		AT&T date on NOIC 9/22/11
		AT&T author Ms. Trammell		AT&T author NONE!!!

## Exhibit E

AT&T has NEVER EVER attempted to  
HELP Mr. Chelmowski or give him  
his 847-768-0400 Vanity Number

Page Exhibit E-0001 AT&T testimony that AT&T never attempted on helping Mr. Chelmowski porting his 847-768-0000 Vanity number or to make him whole on any damages.

Page Exhibit E-0002 AT&T attorney Admitting the value of the 847-768-0400 as a vanity number.

Page Exhibit E-0003 - Informal complaint required AT&T proof of delivery of August 14, 2014 NOIC

Page Exhibit E-0004 to 5 - AT&T proof of delivery of termination letter dated March 17, 2011 to Mr. Chelmowski

Page Exhibit E-0006 - Mr. Chelmowski's doctors post operation orders

Page Exhibit E-0007 to 8 - A&T refusal to re-schedule a court hearing even though Mr. Chelmowski doctor's orders was to be home bound with no weight bearing on surgically repaired leg.

Note AT&T should have the required Informal complaint proof of delivery for AT&T 4/11/11 NOIC and 9/22/11 NOIC, AT&T refuses to produce.

1           Q.     What attempts have been made to make  
2           Mr. Chelmowski whole and return that number to  
3           him after July 18, 2011?

4           A.     I'm not aware of any.

5           Q.     You're fully aware he was complaining  
6           about the number not porting in 2011; isn't that  
7           correct?

8           A.     Yes.

9           Q.     As a matter of fact, you testified to  
10          two exhibits here, I'm going to go with your  
11          numbers, Exhibit No. 24, which was the response  
12          by Sherri Baker. Who is Sherri Baker?

13          A.     Sherri Baker is one of the  
14          representatives in the office of the president  
15          who writes letters in response to complaints.

16          Q.     Is she above you, below you?

17          A.     At this point I believe she was one of  
18          my representatives, she reported directly to me  
19          and she was ordered to maintain cohesiveness  
20          with making sure the letters with all in the  
21          same formats and they were all including  
22          information we wanted to. We assign specific

1        had a feature called fast forward. And what  
2        fast forward was, it was a product that we sold  
3        some time back where you would use a phone, a  
4        handset, and you would put it in a cradle. And  
5        when it was in that cradle and powered on, if  
6        somebody dialed that phone number, it would  
7        automatically forward the message to another  
8        phone number that you had designated. So, in  
9        this particular case, Mr. Chelmowski was using  
10       these vanity numbers, the 0400 and -- or the  
11       0000 number as feeder numbers to his main phone  
12       number, which was ended in 5626. That was his  
13       main wireless number. And that was the account  
14       that had the voicemail.

15                        So, if somebody dialed 0000, it  
16       would automatically transfer that incoming call  
17       to the 5626 number. It didn't have voicemail of  
18       its own, neither did the 0400. They just fed  
19       into the other line.

20                        Now, what happened on a couple of  
21       occasions with Mr. Chelmowski is he failed to  
22       pay his bills on time. And because he failed to



**IMPORTANT!**

**A winter storm is causing potential delays and disruptions in the northeastern U.S.** [Learn More](#)

## FedEx® Tracking

**770803203630**

Ship (P/U) date :  
**Mon 8/11/2014 3:54 pm**

Actual delivery :  
**Tues 8/12/2014 2:22 pm**

HARRISBURG, PA US

**Delivered**

CHICAGO, IL US

### Travel History

Date/Time	Activity	Location
8/12/2014 - Tuesday		
2:22 pm	Delivered Package delivered to recipient address - release authorized	CHICAGO, IL

### Shipment Facts

<b>Tracking number</b>	770803203630	<b>Service</b>	FedEx Standard Overnight
<b>Special handling section</b>	Deliver Weekday		



#### Customer Focus

[New Customer Center](#)  
[Small Business Center](#)  
[Service Guide](#)  
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[My FedEx Office Rewards](#)

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[FedEx SupplyChain](#)  
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See Instructions on back. Visit [UPS.com](http://UPS.com) or call 1-800-PICK-UPS® (800-742-5877) for additional information and UPS Tariff/Terms and Conditions.

TRACKING NUMBER **1Z F55 161 22 1003 1657**

SHIPMENT FROM

SHIPPER'S  
UPS  
ACCOUNT  
NUMBER

**F55161**

REFERENCE NUMBER

NAME

**A. Kraenzlein**

TELEPHONE

**313-223-6893**

COMPANY

**AT&T**

STREET ADDRESS

**444 MICHIGAN #1750**

CITY AND STATE

**DETROIT**

ZIP CODE

**MI 48226**

NAME

**Jim Chelmonski**

TELEPHONE

COMPANY

STREET ADDRESS

**1650 N. Halsted**

DEPT./FLR.

**10/31**

Payment  
Delivery

CITY AND STATE - (Include Country if International)

**Chicago, IL**

3	WEIGHT	WEIGHT Enter "LTR" if Letter	DIMENSIONAL WEIGHT If Applicable
		<b>LTR</b>	
5	TYPE OF SERVICE	<input checked="" type="checkbox"/> NEXT DAY AIR	
		FOR WORLDWIDE EXPRESS SHIPMENTS Mark an "X" in this box if shipment only contains documents of no commercial value	
6	OPTIONAL SERVICES	<input type="checkbox"/> SATURDAY PICKUP See instructions.	
		<input type="checkbox"/> DECLARED VALUE FOR CARRIAGE Contents are automatically protected up to \$100. For declared value over \$100, see instructions.	
		<input type="checkbox"/> C.O.D. If C.O.D., enter amount to be collected and attach completed UPS C.O.D. tag to package.	
		<input type="checkbox"/> An Additional Handling Cha items. See instructions.	
7	ADDITIONAL HANDLING CHARGE		
8	TOTAL CHARGE		
9	RECEIVER'S / THIRD PARTY'S UPS ACCT. NO. OF	BILL SHIPPER'S ACCOUNT NUMBER <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	BILL RECEIVER PARTY DOMESTIC ONLY <input type="checkbox"/> YES <input type="checkbox"/> NO
		BILL THIRD PARTY C <input type="checkbox"/> YES <input type="checkbox"/> NO	

THIRD PARTY'S COMPANY NAME

STREET ADDRESS

CITY AND STATE

SHIPPER'S  
SIGNATURE

**XG (Signature)**

DATE: 11/10/04 TIME: 10:07 S

Exhibit E-0004

ATT-0106  
CONFIDENTIAL



**Proof of Delivery**

[Close Window](#)

Dear Customer,

This notice serves as proof of delivery for the shipment listed below.

<b>Tracking Number:</b>	1ZF551612210031657
<b>Service:</b>	UPS Next Day Air®
<b>Shipped/Billed On:</b>	03/17/2011
<b>Delivered On:</b>	03/18/2011 9:33 A.M.
<b>Delivered To:</b>	CHICAGO, IL, US
<b>Left At:</b>	Front Door

Thank you for giving us this opportunity to serve you.

Sincerely,

UPS

Tracking results provided by UPS: 03/30/2011 12:30 P.M. ET

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**ATT-0107**  
**CONFIDENTIAL**





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2401 RAVINE WAY  
GLENVIEW, ILLINOIS 60025

(847) 998-5680 PHONE  
(847) 998-6365 FAX

WWW.IBJI.COM

January 06, 2015

To Whom it may concern,

Jim Chelmowski has been under my orthopedic care. He fell and sustained a tibial plateau fracture on November 29, 2014. This required surgery on December 3, 2014 it is anticipated that he will remain homebound and not be able to bear weight for up to 8 weeks post op.

If you have any questions, please let me know.

His next post-surgery examination will be on January 16, 2014.

Dr. David Beigler

**David F. Beigler, M.D.**  
*Hip, Knee & Shoulder Surgery  
Sports Medicine & Trauma Surgery*

**Leon S. Benson, M.D.**  
*Hand & Upper Extremity Surgery*

**Eric L. Chehab, M.D.**  
*Orthopaedic Surgery  
Sports Medicine*

**James L. Fox, Jr., M.D.**  
*General Orthopaedic Surgery  
Orthopaedic Oncology*

**Steven L. Haddad, M.D.**  
*Foot & Ankle Surgery  
Total Ankle Replacement*

**James C. Kudrna, M.D., Ph.D.**  
*Hip Surgery*

**Robert D. McMillan, M.D.**  
*Sports Medicine  
Hip & Knee Surgery  
General Orthopaedic Surgery*

**Michael R. O'Rourke, M.D.**  
*Hip & Knee Surgery*

**Gregory R. Palutsis, M.D.**  
*Sports Medicine*

**Craig S. Phillips, M.D.**  
*Hand & Upper Extremity Surgery*

**Gregory H. Portland, M.D.**  
*Arthroscopic Knee & Shoulder Surgery  
Sports Medicine*

**Amy Jo Ptaszek, M.D.**  
*Foot & Ankle Surgery  
General Orthopaedic Surgery*

**William J. Robb, III, M.D.**  
*Knee Surgery*

**David E. Shapiro, M.D.**  
*Reconstructive Spine Surgery*

**Gary S. Shapiro, M.D.**  
*Spine Surgery*

**Van P. Stamos, M.D.**  
*Hip & Knee Surgery*

**Joseph T. Alleva, M.D.**  
*Physical Medicine*

**Alfonso E. Bello, M.D.**  
*Rheumatology*

**Carla O. Gamez, D.P.M.**  
*Podiatric Surgery*

**Andrew Hunt, M.D.**  
*Adult & Pediatric Sports Medicine*

**Philip J. FitzSimons, M.D.**  
*Emeritus*

**Howard J. Sweeney, M.D.**  
*Emeritus*

**Howard J. Agins, M.D.**  
*1953--2002*

## Jim Chelmowski

---

**From:** Elisa\_Perez@ilnd.uscourts.gov  
**Sent:** Tuesday, January 6, 2015 11:06 AM  
**To:** Jim Chelmowski; mark.w.lewis@att.com  
**Subject:** Re: Request for continuance for medical emergency

Mr. Chelmowski,

First of all, I'm sorry to hear about your leg.

I have copied Defendant's counsel on this email as well. As long as you both agree to a new date, the judge will have no objection to pushing the hearing back. However, it would have to be rescheduled in late February since the judge will be out of the office the first few weeks of that month. Let me know if this is acceptable. Do not worry about providing us with the brief that you are filing. I will print it out from the docket for the judge to see.

Thank you,  
Elisa

[Click HERE to take our customer service survey](#)

Elisa Perez  
Courtroom Deputy to the Honorable James B. Zagel  
US District Court for the Northern District of Illinois  
219 S. Dearborn Street  
Chicago, IL 60604  
312-435-5714

From: "Jim Chelmowski" <jchelmowski@comcast.net>  
To: <elisa\_perez@ilnd.uscourts.gov>  
Date: 01/06/2015 10:46 AM  
Subject: Request for continuance for medical emergency

---

Dear Ms. Perez

I tried calling you and received your voicemail giving me permission to email you on a questions.

I currently representing myself prose in case James Chelmowski v AT&T Mobility case 14-cv-07283Before Judge Zagel

My next court date is January 13, 2015, it is status/ruling (on motion to dismiss) hearing.

I am homebound unable to walk after having my leg surgical operated with insertion of metal plate and screws holding my leg in place on last month after falling from a ladder.

My doctor's orders actual forbid this at this time. I should be able to bear weight on my leg at the beginning of February, so I would like to request a 2 to 3 week continuation or rescheduling of this hearing.

I created a motion for continuation which is attached but of course I could not make it to court for the motion to be ruled on. Please advise me the correct procedure for rescheduling this hearing date.

My surgeon/doctor Dr. Beigler is preparing a letter describing the surgery and his current post operation orders. It has been a tough month on heavy pain killers until last week and not being able to do much by myself as I learn how to use the crutches.

Please I would hope re-scheduling the hearing in a couple weeks or so would definitely outweigh the risk of me taking public transportation on one leg with crutches to court next week with snow and forecasted snow. I am afraid I will file something wrong and be forced to go downtown next week. The thought going downtown on crutches in the snow is actually a little terrifying.

I am also filing a brief in opposition to the defendant's motion to dismiss today for that hearing, too. If I file it electronically how should I get Judge Zagel his copy? By emailing it him or you?

I really appreciate your help. Thank you.

James Chelmowski  
Pro Se  
847-768-0000  
[jchelmowski@comcast.net](mailto:jchelmowski@comcast.net)

PS I completed the electronic filing course last month if I need to file a motion/request.  
[attachment "Motions for continuance.pdf" deleted by Elisa Perez/ILND/07/USCOURTS]

## Exhibit F

AT&T Executive Involvement during the entire process and including all FCC violations.

Page F-0001 - AT&T Employees with Firsthand Knowledge including AT&T CEOs

Page F-0002 - AT&T Log AT&T CEO on February 28, 2011 evening documented involvement

Page F-0003 - 9 - AT&T emails again February 28, 2011 early morning confirming owning responsibility of all AT&T actions with Mr. Chelmowski

Page F-0010 Count on AT&T Executives email open and controlled email conversations with other AT&T employees and executives for about 12 emails received from February 28, 2011 to March 2013.

Page F-0011 to 45 - Time and date stamp of AT&T leadership and executives open and/or responsibility of AT&T communications.

Page F-0046-47 - Some documentation why Mr. Chelmowski emailed AT&T leadership in 2010 for help on a refund of an 2007 AT&T overbilling that AT&T customer service and AT&T Office of the President refused to help. The only way Mr. Chelmowski could get the refund of AT&T overbilling was contacting AT&T executives for help. Like in 2011 Mr. Chelmowski contacted AT&T executives for help with receiving voicemail and calls forwarded because again AT&T Office of the President refused to help.

# AT&T Employees with Firsthand Knowledge

Required by AT&T for FCC Sec. 1.724 Answers (f) (1)

These names were concealed by AT&T in the 1/16/15 Answer

	A			B		C		D	
	LNP Rejections 3/24 to 4/28 Rejecting porting 0400	FCC Complaint 4/11 to 4/12 Complaint 11-C00292341 Concealed March & April 2011 AT&T Porting Rejections		FCC Complaint Filing 8/18 Complaint Appears that AT&T Filed since not filed by Mr. Chelmoski		FCC Complaint 8/31 to 9/23 Complaint 11-C00325771 Concealed March & April 2011 AT&T Porting Rejections			
Motion to	<u>AT&amp;T LNP department</u>	<u>By AT&amp;T Logs</u>		<u>By AT&amp;T Logs</u>		<u>By AT&amp;T Logs</u>		<u>By AT&amp;T Logs</u>	
	<u>By AT&amp;T Logs</u>	Maragaret Trammel		Randall Stephenson		Randall Stephenson		Sheri Baker	
	Tene Burse	<u>By Emails Opens</u>		Wayne Watts		Wayne Watts		James Camberis	
	James Camberis	Rayford Wilkins		Brooks Mccorcle		Rayford Wilkins		Director Review	
	Troy Rudloff	Christopher Womack		Derek Roy		Fernando Folgoso		FF6407	
	Nate Camper	Jeff Fancher				??		YV7189	
	Stephanie Maidlow					??		LP9597	
	Sheri Baker					<u>By Email Open Log</u>			
	Matre Dominc					Randall Stephenson		Ralph Delavega	
	Matthew Hampson					John Stankey		Wayne Watts	
	<u>By Email Open Log</u>					Brooks Mccorcle		Brooks Mccorcle	
	Randall Stephenson								
	John Stankey								
	Wayne Watts								
	Rayford Wilkins								
	Brooks Mccorcle								
	Christopher Womack								
	Derek Roy								
	Jeff Fancher								
	<u>Compel Item #1 &amp; #4</u>	<u>Compel Item #1, #2 &amp; #4</u>		<u>Compel Item #1, #3 &amp; #4</u>		<u>Compel Item #1, #3 &amp; #4</u>			

Motion to

Answer  
Conceal

Blanket Denial  
All dates and documents  
Admission the 2011 Fraud

Blanket Denial  
Concealed all 2011 portings &  
AT&T internal Docs, Case files,  
& proof of delivery

Blanket Denial  
Concealed Everything!!

Blanket Denial  
Concealed all 2011 portings &  
AT&T internal Docs, Case files,  
& proof of delivery

Complaint

47 CFR 52.35 & 36  
fraudulent concealed

47 CFR 1.717  
fraudulent concealed

47 CFR 1.717  
fraudulent concealed

47 CFR 1.717  
fraudulent concealed

Information

AT&T 0400 Rejections  
in March and April of 2011  
3/22, 3/24, 3/31

FCC stated filed on 3/23/11  
FCC service date 4/13/11  
FCC received response 4/12/11  
AT&T date on NOIC 4/11/11  
AT&T author Ms. Trammell

FCC stated filed on 8/18/11

FCC service date 8/31/11  
FCC received response 9/23/11  
AT&T date on NOIC 9/22/11  
AT&T author NONE!!!!

Exhibit F-0001



Creation Date	TYPE	Category	Subscriber	Created By
03/01/2011 09:58:53	Office of the Pres	COLL	847-768-0000	25807 - JAMES CAMBI
System Text		User Text		
OOP Escalation		I spoke to Mr. Chelmowski this morning. He started the conversation asking about when I received his information. I advised him that someone from my office contacted him on Friday and he would not let them assist and ended the call. He denied that it happened. He then demanded that his service be fixed and his VM retrieved. I advised him that his number ending in 0000 never had VM and that the VM he was referring to resided on 847 744 5626 and that would not be affected. He then went on screaming and		
03/01/2011 09:26:29	Office of the Pres	COLL	847-744-5626	25807 - JAMES CAMBI
System Text		User Text		
OOP Escalation		oop manager call back- recd vm from customer called back @ 847 744 5626		
03/01/2011 09:12:19	Office of the Pres	COLL	847-744-5626	25807 - JAMES CAMBI
System Text		User Text		
OOP Escalation		oop manager note sent customer an additional email to contact me via phone....] camberle		
03/01/2011 08:13:11	Payment Received	FINN	- -	30210 - QUICKPAY - AJ
System Text		User Text		
Payment received. Payment deposit date: 03/01/2011. Amount: \$247.06. Method: CC. Source: SRVPYM				
02/28/2011 17:21:34	Office of the Pres	COLL	- -	25807 - JAMES CAMBI
System Text		User Text		
OOP Escalation		sending customer email- as recelvd no response-I have attempted to contact you to assist on behalf of Mr. De La Vega  I would like to discuss your account concerns. Please contact me at the number below  847-413-7739  Very truly yours,		
02/28/2011 16:07:53	CM - Case	CRM	- -	30145 - CLARIFY CRM
System Text		User Text		
CM - Case		::CLARIFY:: CHANGE TO OOP ESCALATION CASE ID: CM20110228_17937172 TYPE: OOP/NON-REGULATORY/AT&T WIRELESS SUBSCRIBER PRIORITY: CRITICAL STATUS: SOLVING SLA: 2011-03-03 16:00:45 CONDITION/WORKFLOW: OPEN . THE WORKING USER ID IS :LP9597		
02/28/2011 15:10:52	CM - Case	CRM	- -	30145 - CLARIFY CRM
System Text		User Text		
CM - Case		::CLARIFY:: CHANGE TO OOP ESCALATION CASE ID: CM20110228_17937172 TYPE: OOP/NON-REGULATORY/AT&T WIRELESS SUBSCRIBER PRIORITY: CRITICAL STATUS: SOLVING SLA: 2011-03-03 16:00:45 CONDITION/WORKFLOW: OPEN . THE WORKING USER ID IS :FF6407		

## GREEN, THOMAS J (Legal)

---

**From:** FORBES, DEBORAH S  
**Sent:** Monday, February 28, 2011 8:28 AM  
**To:** CAMBERIS, JAMES  
**Subject:** FW: ATT Executive Office Destroys Loyal Paying Customer still waiting for action after 90 hours  
  
**Importance:** High

Jim, do we have an update on Mr. Chelmowski's issue. He has emailed directly to Ralph De La Vega about the issue and Ralph and David Fine are wanting to know where we stand.

Thanks,  
*Debby Forbes*  
AT&T Mobility  
Manager-North Central Region  
President Support Team  
Office: (606) 925-6215  
Cell: (606) 316-4315

\*AT&T Proprietary (Internal Use Only)

Not for use or disclosure outside of the AT&T companies except for written agreement\*

**From:** RUDLOFF, TROY (ATTCINW)  
**Sent:** Monday, February 28, 2011 8:20 AM  
**To:** MATTHEWS, KEVIN (ATTCINW); FORBES, DEBORAH S (ATTCINW)  
**Cc:** FINE, DAVID B (ATTCINW)  
**Subject:** RE: ATT Executive Office Destroys Loyal Paying Customer still waiting for action after 90 hours  
**Importance:** High

Kevin and Deborah,

Following up my email from this weekend and voicemail from this morning. As you can see below, we owe Ralph a status and next steps for Mr. Chelmowski's situation ASAP. Please advise who from the OOP owns, what the next steps are, and how I can help you bring this to closure with the best possible outcome.

Thank you,

Troy Rudloff  
IL/WI Sales Execution  
Office: 847-765-4695  
Mobile: 404-202-4161



except under written agreement  
This message and any attachments to it contain confidential business information intended solely for the recipients. If you have received this e-mail in error please do not forward or distribute it to anyone else, but telephone 847-765-6282 to report the error, and then delete this message from your system.

**From:** FINE, DAVID B (ATTCINW)  
**Sent:** Monday, February 28, 2011 7:07 AM  
**To:** RUDLOFF, TROY (ATTCINW)  
**Subject:** Fwd: ATT Executive Office Destroys Loyal Paying Customer still waiting for action after 90 hours

We need to get with Kevin and team ASAP to resolve.

Sent to you by AT&T ...America's Fastest Mobile Broadband Network.  
Rethink Possible

Begin forwarded message:

**From:** "DE LA VEGA, RALPH (ATTCINW)" <RD9444@att.com>  
**Date:** February 28, 2011 6:53:09 AM CST  
**To:** "FINE, DAVID B (ATTCINW)" <DF2179@att.com>  
**Cc:** "ROTH, PAUL (ATTCINW)" <pr9536@att.com>, "MATHY, KENT (ATTCINW)" <km5616@att.com>  
**Subject:** FW: ATT Executive Office Destroys Loyal Paying Customer still waiting for action after 90 hours

David, get to the bottom of this situation and let me know the outcome.

Ralph

**From:** jim [mailto:jim@expertfinancing.com]  
**Sent:** Sunday, February 27, 2011 11:50 PM  
**To:** DE LA VEGA, RALPH (ATTCINW)  
**Subject:** ATT Executive Office Destroys Loyal Paying Customer still waiting for action after 90 hours

You should be aware of WHAT YOUR EXECUTIVE TEAM IS DOING!

When you open this email in the morning, I will still be out of business after waiting 90 hours from when I notified ATT the problem. (over 30 days of not getting my calls) Not a few hours but 90 hours!!!!

I am very much at risk of losing my job besides all the money I lost because of AT. I have lost clients and referral partners because of ATT negligence.

You blame me for EVERYTHING, how could you SHUT DOWN MY BUSINESS LIKE THIS!!!!!!

Exhibit F-0004



YOUR EXECUTIVE TEAM has done nothing in 90 hours!!!!

Please provide me the ATT revenue for 90 hours since you believe your customers business means absolutely nothing.

You are forcing me seek other serious actions, since your executive office absolutely has no concern about me (and probably many other customers). I will have to call the appropriate government agency and probably the press plus find out over major internet campaign other customers who were abused by att (potential class action) and your competitors.

How could I be so STUPID to give you 17 years of loyalty and you did something so spiteful and damaging back to me,

There is absolutely no way you can blame me for your actions like you have done in the past. I have plenty of documentation of your spite, negligence, etc.

I was so happy to hear that some many ATT execs were out having fun at ATT while I was suffering. ATT will do NOTHING to me back up in running. How arrogant.

-----Original Message-----

From: **Jim Chelmowski** [mailto:chelmowski@comcast.net]

Sent: **Saturday, February 26, 2011 2:25 PM**

To: 'RUDLOFF, TROY (ATTCINW)'

Cc: 'drucilla.cessac@att.com'; 'jennifer.ousley@att.com'; 'att@computershare.com'; 'brooks.mccorcle@att.com'; 'jamie.anderson@att.com'; 'kent.evans@att.com'; 'jeff.fancher@att.com'; 'william.kuhn@att.com'; 'joseph.parsons@att.com'; 'derek.roy@att.com'; 'christopher.womack@att.com'; 'jeston.dumas@att.com'; 'jacob.a.lee@att.com'

Subject: RE: ATT destroys loyal customer and will not get his paid services working after waiting 48 hours.

Importance: High

Hi

It is now over 48 hours since I brought this to your attention and Executive committee at ATT. You and the executive branch are aware I have no phone and now way I can get my voicemail and forward my calls without ATT doing this for me. And 48 hours nothing happened.

I still have no access to my voice mail and ALL business calls cannot get to me.

YOU shut my business down for over a month. Now ATT refuses to help and shut my business down longer!!!

I have been a loyal customer of ATT for over 17 years.

Some of my friends are looking to ways to help since ATT continues to BLAME me for not DOING ANYTHING.

If I cannot get my voicemail and my phones immediately. I will forced to take actions against ATT. You are bankrupting me. Apparently it does not matter.

This is the most unprofessional and blatant destruction of a loyal customer. I would think all the government agency, press and competitors would love to have this information.

The clock is ticking and damages are accruing.

It was amazing the voicemail I received from corporate since a couple people were out to the office, that my business should be shutdown longer and ATT will do NOIHING.

May be ATT should pay me there revenue for the days they are destroying me.

The world should now ATT executive's attitude on loyal paying customers.

This is awful!!! I can't afford this anymore.

Jim Chelmowski

bcc: Government Agencies, press release

-----Original Message-----

From: RUDLOFF, TROY (ATTCINW) [mailto:TR1483@att.com]

Sent: Friday, February 25, 2011 1:02 PM

To: [jimc@expertfinancing.com](mailto:jimc@expertfinancing.com); [jim@expertfinancing.com](mailto:jim@expertfinancing.com)

Subject: Re:

Hi Mr. Chelmowski,

I apologize that you didn't receive my email below when I first sent it. I escalated and confirmed with the Office of the President that they will call you by end of today and will hold us to that. Please advise if you don't hear from them by late afternoon.

Thank you,

Troy Rudloff

IL/WI Sales Operations

AT&T Mobility

Ofc: 847-765-4695

Mbl: 404-202-4161

----- Original Message -----

From: Jim Chelmowski <[jimc@expertfinancing.com](mailto:jimc@expertfinancing.com)>

To: RUDLOFF, TROY (ATTCINW)

Sent: Fri Feb 25 11:34:55 2011

Subject: RE:

Hi Troy

Is there a reason you are not returning emails or calls?

I have documentation that my 847-768-0000 was going to be a straight call forward setup by AT%&T

AT&T was aware I did not have a phone being used on this account.

I need results. This costing me more money by the minute.

Jim

-----Original Message-----

From: RUDLOFF, TROY (ATTCINW) [mailto:TR1483@att.com]

Sent: Thursday, February 24, 2011 11:02 PM

To: [jim@expertfinancing.com](mailto:jim@expertfinancing.com)

Subject: Fw:

Hi Mr. Chelmowski,

Resending as I received a delivery error notification on my email below. Please let me know that you received this at your convenience. Deborah is escalating to the Office of the President per your request.



Thank you,

Troy Rudloff

IL/WI Sales Operations

AT&T Mobility

Ofc: 847-765-4695

Mbl: 404-202-4161

----- Original Message -----

From: RUDLOFF, TROY (ATTCINW)

To: 'jimc@expertfinancing.com' <jimc@expertfinancing.com>

Cc: FORBES, DEBORAH S (ATTCINW)

Sent: Thu Feb 24 18:34:40 2011

Mr. Chelmowski,

I'm on the phone with Deborah walking her through your account and our previous conversations. She is helping us get in touch with the right folks so your questions and issues will be answered quickly. Thank you for your patience.

Troy Rudloff

IL/WI Sales Operations

AT&T Mobility

Ofc: 847-765-4695

Mbl: 404-202-4161  
Exhibit F-0009

AT&T Leadership Recorded Email Conversations

Name	Email Conversations	Title	Email Address
Randall Stephenson	1364	Chairman, Chief Executive Officer and President	<a href="mailto:Randall.Stephenson@att.com">Randall.Stephenson@att.com</a>
John Stankey	973	President and Chief Executive Officer	<a href="mailto:John.Stankey@att.com">John.Stankey@att.com</a>
Ralph Delavega	704	President & Chief Executive Officer	<a href="mailto:Ralph.delaVega@att.com">Ralph.delaVega@att.com</a>
Wayne Watts	469	Senior Executive Vice President and General Council	<a href="mailto:Wayne.Watts@att.com">Wayne.Watts@att.com</a>
Brooks Mccorcle	480	Senior Vice President- Investor Relations	<a href="mailto:Brooks.Mccorcle@att.com">Brooks.Mccorcle@att.com</a>
Rayford Wilkins	69	CEO,AT&T's diversified business	<a href="mailto:Rayford.Wilkins@att.com">Rayford.Wilkins@att.com</a>
Catherine Coughlin	62	Senior Executive VP & Global Marketing Officer	<a href="mailto:Catherine.Coughlin@att.com">Catherine.Coughlin@att.com</a>
Jeff Fancher	38	AVP & CFO Consumer IP Products	<a href="mailto:Jeff.Fancher@att.com">Jeff.Fancher@att.com</a>
William Blase	31	Senior Executive Vice President -HR	<a href="mailto:William.Blase@att.com">William.Blase@att.com</a>
Drucilla Cessac	17	Executive Director - Investor Relations	<a href="mailto:Drucilla.Cessac@att.com">Drucilla.Cessac@att.com</a>
Forest Miller	16	AT&T's head of corp strategy, mergers & acquisitions	<a href="mailto:Forrest.Miller@att.com">Forrest.Miller@att.com</a>
Derek Roy	11	Senior Project Manager	<a href="mailto:Derek.Roy@att.com">Derek.Roy@att.com</a>
Joseph Parsons	9	Exec. Director Investor Relations	<a href="mailto:Joseph.Parsons@att.com">Joseph.Parsons@att.com</a>
Christopher Womack	8	Executive Director - Investor Relations	<a href="mailto:Christopher.Womack@att.com">Christopher.Womack@att.com</a>
Richard Lindner	7	Chief Financial Officer	<a href="mailto:Richard.Lindner@att.com">Richard.Lindner@att.com</a>
William Kuhn	7	Investor Relations	<a href="mailto:William.Kuhn@att.com">William.Kuhn@att.com</a>
Charles Knight	6	Board of Directors AT&T	<a href="mailto:Charles.Knight@att.com">Charles.Knight@att.com</a>
Jamie Anderson	6	Investor Relations	<a href="mailto:Jamie.Anderson@att.com">Jamie.Anderson@att.com</a>
Kent Evans	2	Executive Director - Shareowner Relations	<a href="mailto:Kent.Evans@att.com">Kent.Evans@att.com</a>
Total	4279		

**Documented ATT Employees email open and internal email communication with other ATT employees about the Claimant**

AT&T				AT&T			
<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>	<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>
	1 *	Brooks Mccorcle	February 27 2011, 11:05 pm		63 *	Wayne Watts	February 28 2011, 7:37 am
	2 *	Brooks Mccorcle	February 27 2011, 11:05 pm	X	64 *	Ralph Delavega	February 28 2011, 7:37 am
	3 *	Brooks Mccorcle	February 27 2011, 11:06 pm		65 *	Wayne Watts	February 28 2011, 7:37 am
	4 *	Catherine Coughlin	February 27 2011, 11:09 pm		66 *	Wayne Watts	February 28 2011, 7:37 am
	5 *	Catherine Coughlin	February 27 2011, 11:10 pm	X	67 *	Ralph Delavega	February 28 2011, 7:38 am
	6 *	Catherine Coughlin	February 27 2011, 11:12 pm	X	68 *	Ralph Delavega	February 28 2011, 7:38 am
	7 *	Joseph Parsons	February 27 2011, 11:16 pm	X	69 *	Ralph Delavega	February 28 2011, 7:38 am
	8 *	Joseph Parsons	February 27 2011, 11:17 pm		70 *	Wayne Watts	February 28 2011, 7:38 am
	9 *	Ralph Delavega	February 28 2011, 4:02 am		71 *	Wayne Watts	February 28 2011, 7:38 am
X	10 *	Ralph Delavega	February 28 2011, 4:17 am		72 *	Wayne Watts	February 28 2011, 7:38 am
	11 *	Brooks Mccorcle	February 28 2011, 5:17 am		73 *	Wayne Watts	February 28 2011, 7:39 am
X	12 *	John Stankey	February 28 2011, 5:26 am		74 *	Wayne Watts	February 28 2011, 7:39 am
X	13 *	John Stankey	February 28 2011, 5:28 am		75 *	Derek Roy	February 28 2011, 7:39 am
X	14 *	Ralph Delavega	February 28 2011, 6:51 am		76 *	Wayne Watts	February 28 2011, 7:39 am
X	15 *	Ralph Delavega	February 28 2011, 6:51 am		77 *	Ralph Delavega	February 28 2011, 7:39 am
X	16 *	Ralph Delavega	February 28 2011, 6:51 am		78 *	Ralph Delavega	February 28 2011, 7:39 am
?	17 *	Ralph Delavega	February 28 2011, 6:56 am		79 *	Wayne Watts	February 28 2011, 7:39 am
?	18 *	Ralph Delavega	February 28 2011, 7:04 am		80 *	Ralph Delavega	February 28 2011, 7:39 am
X	19 *	Ralph Delavega	February 28 2011, 7:06 am		81 *	Ralph Delavega	February 28 2011, 7:39 am
?	20 *	Ralph Delavega	February 28 2011, 7:06 am		82 *	Wayne Watts	February 28 2011, 7:40 am
	21 *	Ralph Delavega	February 28 2011, 7:07 am		83 *	Ralph Delavega	February 28 2011, 7:41 am
	22 *	Ralph Delavega	February 28 2011, 7:07 am		84 *	Ralph Delavega	February 28 2011, 7:42 am
	23 *	Ralph Delavega	February 28 2011, 7:07 am		85 *	Wayne Watts	February 28 2011, 7:42 am
	24 *	Catherine Coughlin	February 28 2011, 7:10 am		86 *	Ralph Delavega	February 28 2011, 7:42 am
	25 *	Ralph Delavega	February 28 2011, 7:10 am		87 *	Ralph Delavega	February 28 2011, 7:42 am
	26 *	Wayne Watts	February 28 2011, 7:10 am		88 *	Catherine Coughlin	February 28 2011, 7:42 am
	27 *	Wayne Watts	February 28 2011, 7:10 am		89 *	Wayne Watts	February 28 2011, 7:42 am
	28 *	Ralph Delavega	February 28 2011, 7:11 am		90 *	Catherine Coughlin	February 28 2011, 7:42 am
	29 *	Ralph Delavega	February 28 2011, 7:11 am		91 *	Catherine Coughlin	February 28 2011, 7:42 am
	30 *	Wayne Watts	February 28 2011, 7:13 am		92 *	Catherine Coughlin	February 28 2011, 7:42 am
	31 *	Wayne Watts	February 28 2011, 7:15 am		93 *	Wayne Watts	February 28 2011, 7:43 am
	32 *	Wayne Watts	February 28 2011, 7:15 am		94 *	Ralph Delavega	February 28 2011, 7:43 am
	33 *	Christopher Womack	February 28 2011, 7:18 am		95 *	Ralph Delavega	February 28 2011, 7:43 am
X	34 *	Ralph Delavega	February 28 2011, 7:20 am		96 *	Ralph Delavega	February 28 2011, 7:44 am
	35 *	Randall Stephenson	February 28 2011, 7:20 am		97 *	Ralph Delavega	February 28 2011, 7:44 am
	36 *	Randall Stephenson	February 28 2011, 7:20 am		98 *	Ralph Delavega	February 28 2011, 7:44 am
X	37 *	Ralph Delavega	February 28 2011, 7:20 am		99 *	Ralph Delavega	February 28 2011, 7:45 am
	38 *	Jeff Fancher	February 28 2011, 7:22 am		100 *	Ralph Delavega	February 28 2011, 7:45 am
	39 *	Wayne Watts	February 28 2011, 7:22 am		101 *	Wayne Watts	February 28 2011, 7:45 am
	40 *	Wayne Watts	February 28 2011, 7:22 am		102 *	Ralph Delavega	February 28 2011, 7:46 am
	41 *	Jeff Fancher	February 28 2011, 7:23 am		103 *	Wayne Watts	February 28 2011, 7:47 am
	42 *	Jeff Fancher	February 28 2011, 7:23 am		104 *	Ralph Delavega	February 28 2011, 7:48 am
	43 *	Jeff Fancher	February 28 2011, 7:23 am		105 *	Ralph Delavega	February 28 2011, 7:49 am
X	44 *	Ralph Delavega	February 28 2011, 7:24 am		106 *	Ralph Delavega	February 28 2011, 7:49 am
	45 *	Ralph Delavega	February 28 2011, 7:24 am		107 *	Ralph Delavega	February 28 2011, 7:49 am
	46 *	Wayne Watts	February 28 2011, 7:25 am		108 *	Ralph Delavega	February 28 2011, 7:49 am
	47 *	Wayne Watts	February 28 2011, 7:25 am		109 *	Ralph Delavega	February 28 2011, 7:50 am
	48 *	Wayne Watts	February 28 2011, 7:25 am		110 *	Wayne Watts	February 28 2011, 7:50 am
	49 *	Ralph Delavega	February 28 2011, 7:26 am		111 *	Wayne Watts	February 28 2011, 7:50 am
	50 *	Ralph Delavega	February 28 2011, 7:28 am		112 *	Wayne Watts	February 28 2011, 7:50 am
	51 *	Wayne Watts	February 28 2011, 7:28 am		113 *	Wayne Watts	February 28 2011, 7:50 am
	52 *	Ralph Delavega	February 28 2011, 7:28 am		114 *	Ralph Delavega	February 28 2011, 7:50 am
X	53 *	Ralph Delavega	February 28 2011, 7:29 am		115 *	Ralph Delavega	February 28 2011, 7:51 am
X	54 *	Ralph Delavega	February 28 2011, 7:29 am		116 *	Wayne Watts	February 28 2011, 7:52 am
X	55 *	Ralph Delavega	February 28 2011, 7:29 am		117 *	Wayne Watts	February 28 2011, 7:53 am
	56 *	Ralph Delavega	February 28 2011, 7:29 am		118 *	Ralph Delavega	February 28 2011, 7:54 am
	57 *	Ralph Delavega	February 28 2011, 7:30 am		119 *	Wayne Watts	February 28 2011, 7:54 am
X	58 *	Ralph Delavega	February 28 2011, 7:30 am		120 *	Ralph Delavega	February 28 2011, 7:56 am
X	59 *	Ralph Delavega	February 28 2011, 7:31 am		121 *	Ralph Delavega	February 28 2011, 8:02 am
X	60 *	Ralph Delavega	February 28 2011, 7:33 am		122 *	Ralph Delavega	February 28 2011, 8:02 am
	61 *	Wayne Watts	February 28 2011, 7:36 am		123 *	Ralph Delavega	February 28 2011, 8:02 am
	62 *	Wayne Watts	February 28 2011, 7:36 am		124 *	Ralph Delavega	February 28 2011, 8:02 am

**Documented ATT Employees email open and internal email communication with other ATT employees about the Claimant**

AT&T				AT&T			
<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>	<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>
	125 *	Ralph Delavega	February 28 2011, 8:02 am		187 *	John Stankey	February 28 2011, 8:25 am
	126 *	Ralph Delavega	February 28 2011, 8:02 am		188 *	John Stankey	February 28 2011, 8:26 am
	127 *	Ralph Delavega	February 28 2011, 8:02 am		189 *	Ralph Delavega	February 28 2011, 8:26 am
	128 *	John Stankey	February 28 2011, 8:04 am	X	190 *	John Stankey	February 28 2011, 8:27 am
	129 *	John Stankey	February 28 2011, 8:04 am	X	191 *	John Stankey	February 28 2011, 8:27 am
	130 *	Rayford Wilkins	February 28 2011, 8:05 am		192 *	Wayne Watts	February 28 2011, 8:28 am
	131 *	Rayford Wilkins	February 28 2011, 8:05 am		193 *	Wayne Watts	February 28 2011, 8:29 am
	132 *	John Stankey	February 28 2011, 8:06 am		194 *	Wayne Watts	February 28 2011, 8:29 am
	133 *	John Stankey	February 28 2011, 8:06 am		195 *	John Stankey	February 28 2011, 8:29 am
X	134 *	Ralph Delavega	February 28 2011, 8:06 am		196 *	Wayne Watts	February 28 2011, 8:29 am
X	135 *	Ralph Delavega	February 28 2011, 8:06 am		197 *	Wayne Watts	February 28 2011, 8:29 am
X	136 *	John Stankey	February 28 2011, 8:06 am		198 *	Ralph Delavega	February 28 2011, 8:31 am
	137 *	Rayford Wilkins	February 28 2011, 8:07 am		199 *	Wayne Watts	February 28 2011, 8:32 am
	138 *	Rayford Wilkins	February 28 2011, 8:07 am		200 *	Ralph Delavega	February 28 2011, 8:32 am
	139 *	Wayne Watts	February 28 2011, 8:07 am		201 *	Wayne Watts	February 28 2011, 8:32 am
X	140 *	Ralph Delavega	February 28 2011, 8:08 am		202 *	Wayne Watts	February 28 2011, 8:32 am
X	141 *	Ralph Delavega	February 28 2011, 8:08 am		203 *	Wayne Watts	February 28 2011, 8:32 am
X	142 *	Ralph Delavega	February 28 2011, 8:09 am		204 *	Wayne Watts	February 28 2011, 8:32 am
X	143 *	Ralph Delavega	February 28 2011, 8:09 am		205 *	Ralph Delavega	February 28 2011, 8:32 am
	144 *	Wayne Watts	February 28 2011, 8:09 am		206 *	Ralph Delavega	February 28 2011, 8:32 am
	145 *	John Stankey	February 28 2011, 8:10 am		207 *	Rayford Wilkins	February 28 2011, 8:33 am
X	146 *	John Stankey	February 28 2011, 8:10 am		208 *	Ralph Delavega	February 28 2011, 8:33 am
	147 *	Ralph Delavega	February 28 2011, 8:10 am		209 *	Ralph Delavega	February 28 2011, 8:33 am
	148 *	Ralph Delavega	February 28 2011, 8:11 am		210 *	Wayne Watts	February 28 2011, 8:34 am
	149 *	Jeff Fancher	February 28 2011, 8:12 am		211 *	Wayne Watts	February 28 2011, 8:34 am
	150 *	Ralph Delavega	February 28 2011, 8:15 am		212 *	Wayne Watts	February 28 2011, 8:34 am
X	151 *	John Stankey	February 28 2011, 8:15 am		213 *	Wayne Watts	February 28 2011, 8:34 am
X	152 *	John Stankey	February 28 2011, 8:15 am		214 *	Ralph Delavega	February 28 2011, 8:34 am
X	153 *	John Stankey	February 28 2011, 8:15 am		215 *	Wayne Watts	February 28 2011, 8:34 am
	154 *	Wayne Watts	February 28 2011, 8:16 am		216 *	Wayne Watts	February 28 2011, 8:34 am
	155 *	Wayne Watts	February 28 2011, 8:16 am		217 *	Wayne Watts	February 28 2011, 8:34 am
	156 *	Wayne Watts	February 28 2011, 8:16 am		218 *	Wayne Watts	February 28 2011, 8:34 am
X	157 *	John Stankey	February 28 2011, 8:16 am		219 *	Ralph Delavega	February 28 2011, 8:35 am
	158 *	John Stankey	February 28 2011, 8:16 am		220 *	Wayne Watts	February 28 2011, 8:35 am
	159 *	Wayne Watts	February 28 2011, 8:17 am		221 *	Wayne Watts	February 28 2011, 8:35 am
	160 *	Wayne Watts	February 28 2011, 8:17 am		222 *	Ralph Delavega	February 28 2011, 8:36 am
X	161 *	John Stankey	February 28 2011, 8:17 am		223 *	Ralph Delavega	February 28 2011, 8:36 am
	162 *	Jeff Fancher	February 28 2011, 8:17 am		224 *	John Stankey	February 28 2011, 8:37 am
X	163 *	John Stankey	February 28 2011, 8:18 am		225 *	John Stankey	February 28 2011, 8:37 am
X	164 *	John Stankey	February 28 2011, 8:18 am		226 *	Wayne Watts	February 28 2011, 8:37 am
	165 *	Jeff Fancher	February 28 2011, 8:18 am		227 *	Wayne Watts	February 28 2011, 8:37 am
	166 *	Jeff Fancher	February 28 2011, 8:18 am		228 *	John Stankey	February 28 2011, 8:37 am
	167 *	Jeff Fancher	February 28 2011, 8:18 am		229 *	Wayne Watts	February 28 2011, 8:37 am
	168 *	Jeff Fancher	February 28 2011, 8:18 am		230 *	Rayford Wilkins	February 28 2011, 8:38 am
	169 *	John Stankey	February 28 2011, 8:19 am		231 *	Ralph Delavega	February 28 2011, 8:38 am
	170 *	John Stankey	February 28 2011, 8:19 am		232 *	Ralph Delavega	February 28 2011, 8:43 am
	171 *	Ralph Delavega	February 28 2011, 8:19 am		233 *	John Stankey	February 28 2011, 8:43 am
	172 *	John Stankey	February 28 2011, 8:19 am		234 *	Wayne Watts	February 28 2011, 8:45 am
	173 *	Jeff Fancher	February 28 2011, 8:20 am		235 *	Wayne Watts	February 28 2011, 8:45 am
	174 *	John Stankey	February 28 2011, 8:20 am		236 *	John Stankey	February 28 2011, 8:45 am
	175 *	John Stankey	February 28 2011, 8:20 am		237 *	John Stankey	February 28 2011, 8:45 am
	176 *	Jeff Fancher	February 28 2011, 8:21 am		238 *	John Stankey	February 28 2011, 8:46 am
	177 *	Ralph Delavega	February 28 2011, 8:21 am		239 *	Wayne Watts	February 28 2011, 8:49 am
	178 *	John Stankey	February 28 2011, 8:21 am		240 *	John Stankey	February 28 2011, 8:51 am
	179 *	Wayne Watts	February 28 2011, 8:23 am		241 *	Rayford Wilkins	February 28 2011, 8:52 am
	180 *	Ralph Delavega	February 28 2011, 8:23 am		242 *	Rayford Wilkins	February 28 2011, 8:52 am
	181 *	John Stankey	February 28 2011, 8:23 am		243 *	Rayford Wilkins	February 28 2011, 8:54 am
	182 *	Ralph Delavega	February 28 2011, 8:23 am		244 *	Jeff Fancher	February 28 2011, 8:54 am
	183 *	Ralph Delavega	February 28 2011, 8:24 am		245 *	Jeff Fancher	February 28 2011, 8:54 am
	184 *	Ralph Delavega	February 28 2011, 8:24 am		246 *	Rayford Wilkins	February 28 2011, 8:55 am
	185 *	Ralph Delavega	February 28 2011, 8:24 am		247 *	Wayne Watts	February 28 2011, 8:55 am
	186 *	Wayne Watts	February 28 2011, 8:25 am		248 *	Wayne Watts	February 28 2011, 8:55 am



**Documented ATT Employees email open and internal email communication with other ATT employees about the Claimant**

AT&T				AT&T			
<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>	<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>
	249 *	Rayford Wilkins	February 28 2011, 8:55 am		311 *	Randall Stephenson	February 28 2011, 9:43 am
	250 *	Wayne Watts	February 28 2011, 8:55 am		312 *	Randall Stephenson	February 28 2011, 9:44 am
	251 *	Wayne Watts	February 28 2011, 8:55 am		313 *	Randall Stephenson	February 28 2011, 9:44 am
	252 *	Wayne Watts	February 28 2011, 8:55 am		314 *	Randall Stephenson	February 28 2011, 9:45 am
	253 *	Wayne Watts	February 28 2011, 8:56 am		315 *	Randall Stephenson	February 28 2011, 9:45 am
	254 *	Wayne Watts	February 28 2011, 8:56 am		316 *	Randall Stephenson	February 28 2011, 9:45 am
	255 *	Wayne Watts	February 28 2011, 8:56 am		317 *	Randall Stephenson	February 28 2011, 9:45 am
	256 *	Wayne Watts	February 28 2011, 8:56 am		318 *	Randall Stephenson	February 28 2011, 9:45 am
	257 *	Wayne Watts	February 28 2011, 8:56 am		319 *	Randall Stephenson	February 28 2011, 9:45 am
	258 *	Wayne Watts	February 28 2011, 8:56 am		320 *	Randall Stephenson	February 28 2011, 9:46 am
	259 *	Ralph Delavega	February 28 2011, 8:56 am		321 *	Randall Stephenson	February 28 2011, 9:49 am
	260 *	Rayford Wilkins	February 28 2011, 8:57 am		322 *	Randall Stephenson	February 28 2011, 9:49 am
	261 *	Rayford Wilkins	February 28 2011, 8:57 am		323 *	Randall Stephenson	February 28 2011, 9:49 am
	262 *	Ralph Delavega	February 28 2011, 8:57 am		324 *	Randall Stephenson	February 28 2011, 9:50 am
	263 *	Wayne Watts	February 28 2011, 8:57 am		325 *	Randall Stephenson	February 28 2011, 9:50 am
	264 *	Wayne Watts	February 28 2011, 8:57 am		326 *	Randall Stephenson	February 28 2011, 9:50 am
	265 *	Wayne Watts	February 28 2011, 8:57 am		327 *	Randall Stephenson	February 28 2011, 9:50 am
	266 *	Wayne Watts	February 28 2011, 8:57 am		328 *	Randall Stephenson	February 28 2011, 9:50 am
	267 *	Ralph Delavega	February 28 2011, 8:57 am		329 *	Wayne Watts	February 28 2011, 9:50 am
	268 *	Ralph Delavega	February 28 2011, 8:57 am		330 *	Randall Stephenson	February 28 2011, 9:50 am
	269 *	Catherine Coughlin	February 28 2011, 8:57 am		331 *	Randall Stephenson	February 28 2011, 9:51 am
	270 *	Ralph Delavega	February 28 2011, 8:58 am		332 *	Randall Stephenson	February 28 2011, 9:51 am
	271 *	Wayne Watts	February 28 2011, 8:58 am		333 *	Randall Stephenson	February 28 2011, 9:51 am
	272 *	Wayne Watts	February 28 2011, 8:58 am		334 *	Wayne Watts	February 28 2011, 9:51 am
	273 *	Wayne Watts	February 28 2011, 8:59 am		335 *	Randall Stephenson	February 28 2011, 9:51 am
	274 *	Ralph Delavega	February 28 2011, 8:59 am		336 *	Randall Stephenson	February 28 2011, 9:51 am
	275 *	Ralph Delavega	February 28 2011, 8:59 am		337 *	Randall Stephenson	February 28 2011, 9:51 am
	276 *	Rayford Wilkins	February 28 2011, 8:59 am		338 *	Wayne Watts	February 28 2011, 9:51 am
	277 *	Ralph Delavega	February 28 2011, 8:59 am		339 *	Randall Stephenson	February 28 2011, 9:51 am
	278 *	Rayford Wilkins	February 28 2011, 9:00 am		340 *	Randall Stephenson	February 28 2011, 9:52 am
	279 *	Wayne Watts	February 28 2011, 9:00 am		341 *	Randall Stephenson	February 28 2011, 9:54 am
	280 *	Wayne Watts	February 28 2011, 9:00 am		342 *	Randall Stephenson	February 28 2011, 9:55 am
	281 *	Ralph Delavega	February 28 2011, 9:00 am		343 *	Wayne Watts	February 28 2011, 9:55 am
	282 *	Wayne Watts	February 28 2011, 9:01 am		344 *	Wayne Watts	February 28 2011, 9:56 am
	283 *	Wayne Watts	February 28 2011, 9:01 am		345 *	Wayne Watts	February 28 2011, 9:56 am
	284 *	Wayne Watts	February 28 2011, 9:01 am		346 *	Rayford Wilkins	February 28 2011, 9:58 am
	285 *	Wayne Watts	February 28 2011, 9:01 am		347 *	William Kuhn	February 28 2011, 10:02 am
	286 *	Ralph Delavega	February 28 2011, 9:02 am		348 *	Wayne Watts	February 28 2011, 10:11 am
	287 *	Ralph Delavega	February 28 2011, 9:02 am		349 *	Randall Stephenson	February 28 2011, 10:13 am
	288 *	Ralph Delavega	February 28 2011, 9:03 am		350 *	Wayne Watts	February 28 2011, 10:14 am
	289 *	Wayne Watts	February 28 2011, 9:03 am		351 *	Randall Stephenson	February 28 2011, 10:18 am
	290 *	Wayne Watts	February 28 2011, 9:05 am		352 *	Randall Stephenson	February 28 2011, 10:19 am
	291 *	Wayne Watts	February 28 2011, 9:07 am		353 *	Ralph Delavega	February 28 2011, 10:56 am
	292 *	Wayne Watts	February 28 2011, 9:09 am		354 *	Ralph Delavega	February 28 2011, 10:57 am
	293 *	Ralph Delavega	February 28 2011, 9:10 am		355 *	Ralph Delavega	February 28 2011, 11:02 am
	294 *	Wayne Watts	February 28 2011, 9:11 am		356 *	Ralph Delavega	February 28 2011, 11:07 am
	295 *	Wayne Watts	February 28 2011, 9:16 am		357 *	Ralph Delavega	February 28 2011, 11:09 am
	296 *	Wayne Watts	February 28 2011, 9:17 am		358 *	Ralph Delavega	February 28 2011, 11:09 am
	297 *	Wayne Watts	February 28 2011, 9:18 am		359 *	Ralph Delavega	February 28 2011, 11:09 am
	298 *	Wayne Watts	February 28 2011, 9:18 am		360 *	Ralph Delavega	February 28 2011, 11:09 am
	299 *	Wayne Watts	February 28 2011, 9:18 am		361 *	Wayne Watts	February 28 2011, 11:21 am
	300 *	Wayne Watts	February 28 2011, 9:23 am		362 *	Wayne Watts	February 28 2011, 11:25 am
	301 *	Wayne Watts	February 28 2011, 9:23 am		363 *	Wayne Watts	February 28 2011, 11:28 am
	302 *	Ralph Delavega	February 28 2011, 9:26 am		364 *	Wayne Watts	February 28 2011, 11:29 am
	303 *	Wayne Watts	February 28 2011, 9:31 am		365 *	Ralph Delavega	February 28 2011, 11:32 am
	304 *	Wayne Watts	February 28 2011, 9:32 am		366 *	Ralph Delavega	February 28 2011, 11:33 am
	305 *	Randall Stephenson	February 28 2011, 9:34 am		367 *	Ralph Delavega	February 28 2011, 11:33 am
	306 *	Catherine Coughlin	February 28 2011, 9:35 am		368 *	Ralph Delavega	February 28 2011, 11:33 am
	307 *	Randall Stephenson	February 28 2011, 9:37 am		369 *	Ralph Delavega	February 28 2011, 11:33 am
	308 *	Randall Stephenson	February 28 2011, 9:42 am		370 *	Ralph Delavega	February 28 2011, 11:34 am
	309 *	Randall Stephenson	February 28 2011, 9:42 am		371 *	Wayne Watts	February 28 2011, 11:37 am
	310 *	Randall Stephenson	February 28 2011, 9:43 am		372 *	Wayne Watts	February 28 2011, 11:39 am

**Documented ATT Employees email open and internal email communication with other ATT employees about the Claimant**

AT&T				AT&T			
Discovery	Number	Name	Time & Date Stamp	Discovery	Number	Name	Time & Date Stamp
	373 *	Ralph Delavega	February 28 2011, 11:40 am		435 *	Wayne Watts	February 28 2011, 12:53 pm
	374 *	Ralph Delavega	February 28 2011, 11:40 am		436 *	Ralph Delavega	February 28 2011, 12:53 pm
	375 *	Ralph Delavega	February 28 2011, 11:41 am		437 *	Wayne Watts	February 28 2011, 12:54 pm
	376 *	Ralph Delavega	February 28 2011, 11:43 am		438 *	Ralph Delavega	February 28 2011, 12:54 pm
	377 *	Ralph Delavega	February 28 2011, 11:43 am		439 *	Ralph Delavega	February 28 2011, 12:54 pm
	378 *	Ralph Delavega	February 28 2011, 11:45 am		440 *	Wayne Watts	February 28 2011, 12:54 pm
	379 *	Ralph Delavega	February 28 2011, 11:45 am		441 *	Wayne Watts	February 28 2011, 12:54 pm
	380 *	Ralph Delavega	February 28 2011, 11:45 am		442 *	Wayne Watts	February 28 2011, 12:54 pm
	381 *	Ralph Delavega	February 28 2011, 11:45 am		443 *	Wayne Watts	February 28 2011, 12:54 pm
	382 *	Ralph Delavega	February 28 2011, 11:45 am		444 *	Ralph Delavega	February 28 2011, 12:54 pm
	383 *	Ralph Delavega	February 28 2011, 11:45 am		445 *	Ralph Delavega	February 28 2011, 12:54 pm
	384 *	Ralph Delavega	February 28 2011, 11:45 am		446 *	Ralph Delavega	February 28 2011, 12:54 pm
	385 *	Ralph Delavega	February 28 2011, 11:46 am		447 *	Wayne Watts	February 28 2011, 12:55 pm
	386 *	Ralph Delavega	February 28 2011, 11:46 am		448 *	Wayne Watts	February 28 2011, 12:56 pm
	387 *	Ralph Delavega	February 28 2011, 11:46 am		449 *	Ralph Delavega	February 28 2011, 12:56 pm
	388 *	Ralph Delavega	February 28 2011, 11:46 am		450 *	Ralph Delavega	February 28 2011, 12:56 pm
	389 *	Ralph Delavega	February 28 2011, 11:48 am		451 *	Ralph Delavega	February 28 2011, 12:56 pm
	390 *	Ralph Delavega	February 28 2011, 11:48 am		452 *	Wayne Watts	February 28 2011, 12:56 pm
	391 *	Ralph Delavega	February 28 2011, 11:48 am		453 *	Ralph Delavega	February 28 2011, 12:57 pm
	392 *	Ralph Delavega	February 28 2011, 11:54 am		454 *	Wayne Watts	February 28 2011, 12:57 pm
	393 *	Wayne Watts	February 28 2011, 11:57 am		455 *	Wayne Watts	February 28 2011, 12:57 pm
	394 *	Ralph Delavega	February 28 2011, 12:01 pm		456 *	Ralph Delavega	February 28 2011, 12:58 pm
	395 *	Ralph Delavega	February 28 2011, 12:11 pm		457 *	Ralph Delavega	February 28 2011, 12:59 pm
	396 *	Ralph Delavega	February 28 2011, 12:14 pm		458 *	Ralph Delavega	February 28 2011, 12:59 pm
	397 *	Wayne Watts	February 28 2011, 12:15 pm		459 *	Wayne Watts	February 28 2011, 12:59 pm
	398 *	Ralph Delavega	February 28 2011, 12:18 pm		460 *	Wayne Watts	February 28 2011, 12:59 pm
	399 *	Ralph Delavega	February 28 2011, 12:18 pm		461 *	Wayne Watts	February 28 2011, 12:59 pm
	400 *	Ralph Delavega	February 28 2011, 12:21 pm		462 *	Wayne Watts	February 28 2011, 12:59 pm
	401 *	Ralph Delavega	February 28 2011, 12:21 pm		463 *	Wayne Watts	February 28 2011, 12:59 pm
	402 *	Ralph Delavega	February 28 2011, 12:21 pm		464 *	Ralph Delavega	February 28 2011, 12:59 pm
	403 *	Ralph Delavega	February 28 2011, 12:22 pm		465 *	Wayne Watts	February 28 2011, 1:00 pm
	404 *	Ralph Delavega	February 28 2011, 12:26 pm		466 *	Wayne Watts	February 28 2011, 1:00 pm
	405 *	Ralph Delavega	February 28 2011, 12:26 pm		467 *	Wayne Watts	February 28 2011, 1:00 pm
	406 *	Ralph Delavega	February 28 2011, 12:28 pm		468 *	Wayne Watts	February 28 2011, 1:01 pm
	407 *	Ralph Delavega	February 28 2011, 12:28 pm		469 *	Wayne Watts	February 28 2011, 1:01 pm
	408 *	Wayne Watts	February 28 2011, 12:30 pm		470 *	Wayne Watts	February 28 2011, 1:01 pm
	409 *	Ralph Delavega	February 28 2011, 12:31 pm		471 *	Wayne Watts	February 28 2011, 1:01 pm
	410 *	Ralph Delavega	February 28 2011, 12:32 pm		472 *	Ralph Delavega	February 28 2011, 1:01 pm
	411 *	Ralph Delavega	February 28 2011, 12:33 pm		473 *	Ralph Delavega	February 28 2011, 1:02 pm
	412 *	Ralph Delavega	February 28 2011, 12:33 pm		474 *	Wayne Watts	February 28 2011, 1:03 pm
	413 *	Ralph Delavega	February 28 2011, 12:34 pm		475 *	Wayne Watts	February 28 2011, 1:03 pm
	414 *	Wayne Watts	February 28 2011, 12:34 pm		476 *	Wayne Watts	February 28 2011, 1:03 pm
	415 *	Wayne Watts	February 28 2011, 12:34 pm		477 *	Wayne Watts	February 28 2011, 1:03 pm
	416 *	Wayne Watts	February 28 2011, 12:34 pm		478 *	Wayne Watts	February 28 2011, 1:05 pm
	417 *	Wayne Watts	February 28 2011, 12:34 pm		479 *	Wayne Watts	February 28 2011, 1:05 pm
	418 *	Wayne Watts	February 28 2011, 12:40 pm		480 *	Wayne Watts	February 28 2011, 1:05 pm
	419 *	Ralph Delavega	February 28 2011, 12:41 pm		481 *	Wayne Watts	February 28 2011, 1:06 pm
	420 *	Wayne Watts	February 28 2011, 12:47 pm		482 *	Wayne Watts	February 28 2011, 1:06 pm
	421 *	Wayne Watts	February 28 2011, 12:47 pm		483 *	Wayne Watts	February 28 2011, 1:06 pm
	422 *	Wayne Watts	February 28 2011, 12:47 pm		484 *	Wayne Watts	February 28 2011, 1:06 pm
	423 *	Ralph Delavega	February 28 2011, 12:47 pm		485 *	Wayne Watts	February 28 2011, 1:08 pm
	424 *	Ralph Delavega	February 28 2011, 12:50 pm		486 *	Wayne Watts	February 28 2011, 1:08 pm
	425 *	Wayne Watts	February 28 2011, 12:51 pm		487 *	Wayne Watts	February 28 2011, 1:08 pm
	426 *	Wayne Watts	February 28 2011, 12:51 pm		488 *	Wayne Watts	February 28 2011, 1:08 pm
	427 *	Wayne Watts	February 28 2011, 12:51 pm		489 *	Wayne Watts	February 28 2011, 1:09 pm
	428 *	Wayne Watts	February 28 2011, 12:51 pm		490 *	Wayne Watts	February 28 2011, 1:09 pm
	429 *	Wayne Watts	February 28 2011, 12:51 pm		491 *	Wayne Watts	February 28 2011, 1:09 pm
	430 *	Wayne Watts	February 28 2011, 12:52 pm		492 *	Wayne Watts	February 28 2011, 1:09 pm
	431 *	Wayne Watts	February 28 2011, 12:52 pm		493 *	Wayne Watts	February 28 2011, 1:09 pm
	432 *	Wayne Watts	February 28 2011, 12:52 pm		494 *	Wayne Watts	February 28 2011, 1:09 pm
	433 *	Wayne Watts	February 28 2011, 12:52 pm		495 *	Wayne Watts	February 28 2011, 1:09 pm
	434 *	Wayne Watts	February 28 2011, 12:52 pm		496 *	Wayne Watts	February 28 2011, 1:09 pm

**Documented ATT Employees email open and internal email communication with other ATT employees about the Claimant**

AT&T				AT&T			
<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>	<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>
	497 *	Wayne Watts	February 28 2011, 1:09 pm		559 *	Wayne Watts	February 28 2011, 1:23 pm
	498 *	Wayne Watts	February 28 2011, 1:09 pm		560 *	Wayne Watts	February 28 2011, 1:23 pm
	499 *	Ralph Delavega	February 28 2011, 1:10 pm		561 *	Wayne Watts	February 28 2011, 1:23 pm
	500 *	Ralph Delavega	February 28 2011, 1:10 pm		562 *	Wayne Watts	February 28 2011, 1:23 pm
	501 *	Wayne Watts	February 28 2011, 1:10 pm		563 *	Wayne Watts	February 28 2011, 1:23 pm
	502 *	Wayne Watts	February 28 2011, 1:10 pm		564 *	Wayne Watts	February 28 2011, 1:23 pm
	503 *	Wayne Watts	February 28 2011, 1:10 pm		565 *	Wayne Watts	February 28 2011, 1:23 pm
	504 *	Wayne Watts	February 28 2011, 1:10 pm		566 *	Wayne Watts	February 28 2011, 1:23 pm
	505 *	Wayne Watts	February 28 2011, 1:11 pm		567 *	Wayne Watts	February 28 2011, 1:23 pm
	506 *	Wayne Watts	February 28 2011, 1:11 pm		568 *	Wayne Watts	February 28 2011, 1:23 pm
	507 *	Wayne Watts	February 28 2011, 1:12 pm		569 *	Ralph Delavega	February 28 2011, 1:24 pm
	508 *	Wayne Watts	February 28 2011, 1:13 pm		570 *	Wayne Watts	February 28 2011, 1:24 pm
	509 *	Wayne Watts	February 28 2011, 1:14 pm		571 *	Wayne Watts	February 28 2011, 1:24 pm
	510 *	Wayne Watts	February 28 2011, 1:14 pm		572 *	Wayne Watts	February 28 2011, 1:24 pm
	511 *	Wayne Watts	February 28 2011, 1:15 pm		573 *	Wayne Watts	February 28 2011, 1:24 pm
	512 *	Wayne Watts	February 28 2011, 1:15 pm		574 *	Wayne Watts	February 28 2011, 1:24 pm
	513 *	Wayne Watts	February 28 2011, 1:15 pm		575 *	Wayne Watts	February 28 2011, 1:24 pm
	514 *	Wayne Watts	February 28 2011, 1:15 pm		576 *	Wayne Watts	February 28 2011, 1:25 pm
	515 *	Wayne Watts	February 28 2011, 1:15 pm		577 *	Wayne Watts	February 28 2011, 1:25 pm
	516 *	Wayne Watts	February 28 2011, 1:15 pm		578 *	Wayne Watts	February 28 2011, 1:25 pm
	517 *	Wayne Watts	February 28 2011, 1:15 pm		579 *	Wayne Watts	February 28 2011, 1:25 pm
	518 *	Wayne Watts	February 28 2011, 1:16 pm		580 *	Wayne Watts	February 28 2011, 1:26 pm
	519 *	Wayne Watts	February 28 2011, 1:16 pm		581 *	Wayne Watts	February 28 2011, 1:26 pm
	520 *	Ralph Delavega	February 28 2011, 1:16 pm		582 *	Wayne Watts	February 28 2011, 1:27 pm
	521 *	Wayne Watts	February 28 2011, 1:16 pm		583 *	Wayne Watts	February 28 2011, 1:27 pm
	522 *	Wayne Watts	February 28 2011, 1:16 pm		584 *	Wayne Watts	February 28 2011, 1:27 pm
	523 *	Wayne Watts	February 28 2011, 1:17 pm		585 *	Wayne Watts	February 28 2011, 1:27 pm
	524 *	Wayne Watts	February 28 2011, 1:17 pm		586 *	Ralph Delavega	February 28 2011, 1:31 pm
	525 *	Ralph Delavega	February 28 2011, 1:17 pm		587 *	Ralph Delavega	February 28 2011, 1:31 pm
	526 *	Ralph Delavega	February 28 2011, 1:17 pm		588 *	Ralph Delavega	February 28 2011, 1:33 pm
	527 *	Wayne Watts	February 28 2011, 1:17 pm		589 *	Ralph Delavega	February 28 2011, 1:33 pm
	528 *	Wayne Watts	February 28 2011, 1:18 pm		590 *	Wayne Watts	February 28 2011, 1:36 pm
	529 *	Wayne Watts	February 28 2011, 1:18 pm		591 *	Wayne Watts	February 28 2011, 1:36 pm
	530 *	Wayne Watts	February 28 2011, 1:18 pm		592 *	Ralph Delavega	February 28 2011, 1:37 pm
	531 *	Wayne Watts	February 28 2011, 1:18 pm		593 *	Wayne Watts	February 28 2011, 1:38 pm
	532 *	Wayne Watts	February 28 2011, 1:18 pm		594 *	Wayne Watts	February 28 2011, 1:42 pm
	533 *	Wayne Watts	February 28 2011, 1:19 pm		595 *	Wayne Watts	February 28 2011, 1:42 pm
	534 *	Ralph Delavega	February 28 2011, 1:19 pm		596 *	Wayne Watts	February 28 2011, 1:42 pm
	535 *	Wayne Watts	February 28 2011, 1:19 pm		597 *	Wayne Watts	February 28 2011, 1:46 pm
	536 *	Wayne Watts	February 28 2011, 1:19 pm		598 *	Wayne Watts	February 28 2011, 1:46 pm
	537 *	Wayne Watts	February 28 2011, 1:19 pm		599 *	Wayne Watts	February 28 2011, 1:47 pm
	538 *	Wayne Watts	February 28 2011, 1:19 pm		600 *	Wayne Watts	February 28 2011, 1:47 pm
	539 *	Wayne Watts	February 28 2011, 1:19 pm		601 *	Wayne Watts	February 28 2011, 1:48 pm
	540 *	Wayne Watts	February 28 2011, 1:20 pm		602 *	Wayne Watts	February 28 2011, 1:48 pm
	541 *	Ralph Delavega	February 28 2011, 1:20 pm		603 *	Ralph Delavega	February 28 2011, 1:48 pm
	542 *	Ralph Delavega	February 28 2011, 1:20 pm		604 *	Wayne Watts	February 28 2011, 1:49 pm
	543 *	Ralph Delavega	February 28 2011, 1:20 pm		605 *	Wayne Watts	February 28 2011, 1:49 pm
	544 *	Ralph Delavega	February 28 2011, 1:20 pm		606 *	Wayne Watts	February 28 2011, 1:49 pm
	545 *	Wayne Watts	February 28 2011, 1:22 pm		607 *	Ralph Delavega	February 28 2011, 1:49 pm
	546 *	Wayne Watts	February 28 2011, 1:22 pm		608 *	Wayne Watts	February 28 2011, 1:51 pm
	547 *	Wayne Watts	February 28 2011, 1:22 pm		609 *	Wayne Watts	February 28 2011, 1:51 pm
	548 *	Wayne Watts	February 28 2011, 1:22 pm		610 *	Wayne Watts	February 28 2011, 1:51 pm
	549 *	Wayne Watts	February 28 2011, 1:22 pm		611 *	Ralph Delavega	February 28 2011, 1:52 pm
	550 *	Wayne Watts	February 28 2011, 1:22 pm		612 *	Ralph Delavega	February 28 2011, 1:52 pm
	551 *	Wayne Watts	February 28 2011, 1:22 pm		613 *	Ralph Delavega	February 28 2011, 1:53 pm
	552 *	Wayne Watts	February 28 2011, 1:23 pm		614 *	Wayne Watts	February 28 2011, 1:53 pm
	553 *	Wayne Watts	February 28 2011, 1:23 pm		615 *	Wayne Watts	February 28 2011, 1:54 pm
	554 *	Wayne Watts	February 28 2011, 1:23 pm		616 *	Ralph Delavega	February 28 2011, 1:55 pm
	555 *	Wayne Watts	February 28 2011, 1:23 pm		617 *	Wayne Watts	February 28 2011, 1:56 pm
	556 *	Wayne Watts	February 28 2011, 1:23 pm		618 *	Ralph Delavega	February 28 2011, 1:59 pm
	557 *	Wayne Watts	February 28 2011, 1:23 pm		619 *	Ralph Delavega	February 28 2011, 1:59 pm
	558 *	Wayne Watts	February 28 2011, 1:23 pm		620 *	Wayne Watts	February 28 2011, 1:59 pm

**Documented ATT Employees email open and internal email communication with other ATT employees about the Claimant**

AT&T				AT&T			
<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>	<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>
	621 *	Wayne Watts	February 28 2011, 2:02 pm		683	Randall Stephenson	February 28 2011, 2:49 pm
	622 *	Wayne Watts	February 28 2011, 2:03 pm		684	Randall Stephenson	February 28 2011, 2:49 pm
	623 *	Ralph Delavega	February 28 2011, 2:10 pm		685	Randall Stephenson	February 28 2011, 2:49 pm
	624 *	Ralph Delavega	February 28 2011, 2:10 pm		686	Randall Stephenson	February 28 2011, 2:49 pm
	625 *	Ralph Delavega	February 28 2011, 2:11 pm		687	Brooks Mccorcle	February 28 2011, 2:50 pm
	626 *	Ralph Delavega	February 28 2011, 2:11 pm		688	Brooks Mccorcle	February 28 2011, 2:50 pm
	627 *	Ralph Delavega	February 28 2011, 2:11 pm		689	Brooks Mccorcle	February 28 2011, 2:50 pm
	628 *	Ralph Delavega	February 28 2011, 2:12 pm		690 *	John Stankey	February 28 2011, 2:51 pm
	629 *	Ralph Delavega	February 28 2011, 2:12 pm		691 *	Wayne Watts	February 28 2011, 2:51 pm
	630 *	Ralph Delavega	February 28 2011, 2:12 pm		692 *	Ralph Delavega	February 28 2011, 2:51 pm
	631 *	Ralph Delavega	February 28 2011, 2:12 pm		693 *	Ralph Delavega	February 28 2011, 2:51 pm
	632 *	Ralph Delavega	February 28 2011, 2:12 pm		694 *	Ralph Delavega	February 28 2011, 2:51 pm
	633 *	Ralph Delavega	February 28 2011, 2:16 pm		695	Randall Stephenson	February 28 2011, 2:51 pm
	634 *	Ralph Delavega	February 28 2011, 2:17 pm		696	Randall Stephenson	February 28 2011, 2:51 pm
	635 *	Ralph Delavega	February 28 2011, 2:18 pm		697	Brooks Mccorcle	February 28 2011, 2:51 pm
	636 *	Ralph Delavega	February 28 2011, 2:18 pm		698	Brooks Mccorcle	February 28 2011, 2:51 pm
	637 *	Ralph Delavega	February 28 2011, 2:19 pm		699	Brooks Mccorcle	February 28 2011, 2:51 pm
	638 *	Ralph Delavega	February 28 2011, 2:19 pm		700 *	Ralph Delavega	February 28 2011, 2:52 pm
	639 *	Ralph Delavega	February 28 2011, 2:19 pm		701 *	Ralph Delavega	February 28 2011, 2:52 pm
	640 *	Ralph Delavega	February 28 2011, 2:22 pm		702	Randall Stephenson	February 28 2011, 2:52 pm
	641 *	Ralph Delavega	February 28 2011, 2:22 pm		703	Randall Stephenson	February 28 2011, 2:52 pm
	642 *	Ralph Delavega	February 28 2011, 2:23 pm		704	Randall Stephenson	February 28 2011, 2:52 pm
	643 *	Ralph Delavega	February 28 2011, 2:23 pm		705 *	Ralph Delavega	February 28 2011, 2:53 pm
	644 *	Ralph Delavega	February 28 2011, 2:23 pm		706	Randall Stephenson	February 28 2011, 2:53 pm
	645 *	Ralph Delavega	February 28 2011, 2:23 pm		707 *	Wayne Watts	February 28 2011, 2:55 pm
	646 *	Ralph Delavega	February 28 2011, 2:25 pm		708	Randall Stephenson	February 28 2011, 2:55 pm
	647 *	Ralph Delavega	February 28 2011, 2:25 pm		709	Randall Stephenson	February 28 2011, 2:56 pm
	648 *	Ralph Delavega	February 28 2011, 2:25 pm		710	Randall Stephenson	February 28 2011, 2:56 pm
	649 *	Ralph Delavega	February 28 2011, 2:26 pm		711	Randall Stephenson	February 28 2011, 2:56 pm
	650 *	Ralph Delavega	February 28 2011, 2:27 pm		712	Brooks Mccorcle	February 28 2011, 2:57 pm
	651 *	Ralph Delavega	February 28 2011, 2:29 pm		713	Brooks Mccorcle	February 28 2011, 2:57 pm
	652 *	Ralph Delavega	February 28 2011, 2:31 pm		714	Brooks Mccorcle	February 28 2011, 2:58 pm
	653 *	Wayne Watts	February 28 2011, 2:31 pm		715	Brooks Mccorcle	February 28 2011, 2:58 pm
	654 *	Ralph Delavega	February 28 2011, 2:32 pm		716	Brooks Mccorcle	February 28 2011, 2:58 pm
	655 *	Wayne Watts	February 28 2011, 2:37 pm		717	Brooks Mccorcle	February 28 2011, 2:58 pm
	656 *	Wayne Watts	February 28 2011, 2:37 pm		718	Brooks Mccorcle	February 28 2011, 2:58 pm
	657 *	Wayne Watts	February 28 2011, 2:37 pm		719	Brooks Mccorcle	February 28 2011, 2:58 pm
	658 *	Wayne Watts	February 28 2011, 2:37 pm		720	Brooks Mccorcle	February 28 2011, 2:58 pm
	659 *	Wayne Watts	February 28 2011, 2:39 pm		721	Brooks Mccorcle	February 28 2011, 2:58 pm
	660 *	Wayne Watts	February 28 2011, 2:39 pm		722	Brooks Mccorcle	February 28 2011, 2:59 pm
	661 *	Wayne Watts	February 28 2011, 2:40 pm		723	Brooks Mccorcle	February 28 2011, 2:59 pm
	662	Derek Roy	February 28 2011, 2:42 pm		724 *	Wayne Watts	February 28 2011, 3:00 pm
	663	Christopher Womack	February 28 2011, 2:42 pm		725	Brooks Mccorcle	February 28 2011, 3:00 pm
	664	Brooks Mccorcle	February 28 2011, 2:42 pm		726	Brooks Mccorcle	February 28 2011, 3:00 pm
	665	Brooks Mccorcle	February 28 2011, 2:42 pm		727	Brooks Mccorcle	February 28 2011, 3:00 pm
	666 *	Wayne Watts	February 28 2011, 2:43 pm		728	Brooks Mccorcle	February 28 2011, 3:00 pm
	667	Brooks Mccorcle	February 28 2011, 2:43 pm		729	Brooks Mccorcle	February 28 2011, 3:01 pm
	668	Brooks Mccorcle	February 28 2011, 2:44 pm		730	Brooks Mccorcle	February 28 2011, 3:01 pm
	669 *	Ralph Delavega	February 28 2011, 2:45 pm		731	Brooks Mccorcle	February 28 2011, 3:01 pm
	670	Randall Stephenson	February 28 2011, 2:45 pm		732	Brooks Mccorcle	February 28 2011, 3:01 pm
	671	Randall Stephenson	February 28 2011, 2:45 pm		733	Brooks Mccorcle	February 28 2011, 3:01 pm
	672	Ralph Delavega	February 28 2011, 2:45 pm		734	Brooks Mccorcle	February 28 2011, 3:01 pm
	673 *	Wayne Watts	February 28 2011, 2:47 pm		735	Brooks Mccorcle	February 28 2011, 3:01 pm
	674	Richard Lindner	February 28 2011, 2:47 pm		736	Brooks Mccorcle	February 28 2011, 3:01 pm
	675 *	Ralph Delavega	February 28 2011, 2:48 pm		737 *	Randall Stephenson	February 28 2011, 3:02 pm
	676	Randall Stephenson	February 28 2011, 2:48 pm		738 *	John Stankey	February 28 2011, 3:02 pm
	677	Randall Stephenson	February 28 2011, 2:48 pm		739	Brooks Mccorcle	February 28 2011, 3:02 pm
	678 *	Ralph Delavega	February 28 2011, 2:49 pm		740 *	Ralph Delavega	February 28 2011, 3:03 pm
	679 *	Ralph Delavega	February 28 2011, 2:49 pm		741 *	Ralph Delavega	February 28 2011, 3:03 pm
	680 *	Ralph Delavega	February 28 2011, 2:49 pm		742 *	Ralph Delavega	February 28 2011, 3:03 pm
	681 *	Ralph Delavega	February 28 2011, 2:49 pm		743 *	Ralph Delavega	February 28 2011, 3:03 pm
	682	Randall Stephenson	February 28 2011, 2:49 pm		744	Brooks Mccorcle	February 28 2011, 3:03 pm



**Documented ATT Employees email open and internal email communication with other ATT employees about the Claimant**

AT&T				AT&T			
<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>	<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>
	745	Brooks Mccorcle	February 28 2011, 3:03 pm		807	Brooks Mccorcle	February 28 2011, 3:19 pm
	746	Brooks Mccorcle	February 28 2011, 3:03 pm		808	Brooks Mccorcle	February 28 2011, 3:19 pm
	747	Brooks Mccorcle	February 28 2011, 3:03 pm		809	Brooks Mccorcle	February 28 2011, 3:19 pm
	748 *	Wayne Watts	February 28 2011, 3:04 pm		810	Brooks Mccorcle	February 28 2011, 3:20 pm
	749 *	Ralph Delavega	February 28 2011, 3:04 pm		811	Brooks Mccorcle	February 28 2011, 3:20 pm
	750 *	Ralph Delavega	February 28 2011, 3:04 pm		812	Jeff Fancher	February 28 2011, 3:22 pm
	751	Brooks Mccorcle	February 28 2011, 3:04 pm		813 *	Ralph Delavega	February 28 2011, 3:24 pm
	752	Brooks Mccorcle	February 28 2011, 3:04 pm		814	Jeff Fancher	February 28 2011, 3:24 pm
	753	Brooks Mccorcle	February 28 2011, 3:04 pm		815	Randall Stephenson	February 28 2011, 3:26 pm
	754	Brooks Mccorcle	February 28 2011, 3:04 pm		816	Brooks Mccorcle	February 28 2011, 3:26 pm
	755 *	John Stankey	February 28 2011, 3:05 pm		817	Randall Stephenson	February 28 2011, 3:27 pm
	756 *	John Stankey	February 28 2011, 3:05 pm		818	Jeff Fancher	February 28 2011, 3:27 pm
	757 *	John Stankey	February 28 2011, 3:05 pm		819	Brooks Mccorcle	February 28 2011, 3:28 pm
	758 *	Randall Stephenson	February 28 2011, 3:05 pm		820 *	Wayne Watts	February 28 2011, 3:31 pm
	759	Brooks Mccorcle	February 28 2011, 3:05 pm		821 *	John Stankey	February 28 2011, 3:31 pm
	760	Randall Stephenson	February 28 2011, 3:05 pm		822	Randall Stephenson	February 28 2011, 3:31 pm
	761	Brooks Mccorcle	February 28 2011, 3:05 pm		823	Brooks Mccorcle	February 28 2011, 3:32 pm
	762	Brooks Mccorcle	February 28 2011, 3:05 pm		824	Jeff Fancher	February 28 2011, 3:35 pm
	763	Randall Stephenson	February 28 2011, 3:05 pm		825	Jeff Fancher	February 28 2011, 3:35 pm
	764	Brooks Mccorcle	February 28 2011, 3:05 pm		826	Brooks Mccorcle	February 28 2011, 3:36 pm
	765 *	John Stankey	February 28 2011, 3:06 pm		827 *	Ralph Delavega	February 28 2011, 3:39 pm
	766 *	John Stankey	February 28 2011, 3:06 pm		828 *	Ralph Delavega	February 28 2011, 3:39 pm
	767 *	John Stankey	February 28 2011, 3:06 pm		829	Jeff Fancher	February 28 2011, 3:39 pm
	768 *	John Stankey	February 28 2011, 3:06 pm		830 *	Ralph Delavega	February 28 2011, 3:45 pm
	769	Jeff Fancher	February 28 2011, 3:06 pm		831	Brooks Mccorcle	February 28 2011, 3:45 pm
	770	Brooks Mccorcle	February 28 2011, 3:06 pm		832 *	Ralph Delavega	February 28 2011, 3:46 pm
	771	Brooks Mccorcle	February 28 2011, 3:06 pm		833 *	Ralph Delavega	February 28 2011, 3:47 pm
	772	Jeff Fancher	February 28 2011, 3:07 pm		834 *	Ralph Delavega	February 28 2011, 3:47 pm
	773	Jeff Fancher	February 28 2011, 3:07 pm		835	Brooks Mccorcle	February 28 2011, 3:47 pm
	774	Brooks Mccorcle	February 28 2011, 3:07 pm		836	Brooks Mccorcle	February 28 2011, 3:47 pm
	775	Jeff Fancher	February 28 2011, 3:07 pm		837 *	Ralph Delavega	February 28 2011, 3:48 pm
	776	Brooks Mccorcle	February 28 2011, 3:07 pm		838 *	Ralph Delavega	February 28 2011, 3:48 pm
	777	Brooks Mccorcle	February 28 2011, 3:07 pm		839 *	Ralph Delavega	February 28 2011, 3:48 pm
	778	Brooks Mccorcle	February 28 2011, 3:07 pm		840 *	Ralph Delavega	February 28 2011, 3:48 pm
	779 *	Ralph Delavega	February 28 2011, 3:08 pm		841 *	Ralph Delavega	February 28 2011, 3:48 pm
	780	Jeff Fancher	February 28 2011, 3:08 pm		842 *	Ralph Delavega	February 28 2011, 3:49 pm
	781	Jeff Fancher	February 28 2011, 3:08 pm		843 *	Ralph Delavega	February 28 2011, 3:51 pm
	782	Brooks Mccorcle	February 28 2011, 3:08 pm		844 *	Wayne Watts	February 28 2011, 3:52 pm
	783 *	John Stankey	February 28 2011, 3:09 pm		845 *	Wayne Watts	February 28 2011, 3:52 pm
	784 *	John Stankey	February 28 2011, 3:09 pm		846 *	Wayne Watts	February 28 2011, 3:52 pm
	785	Brooks Mccorcle	February 28 2011, 3:09 pm		847 *	Wayne Watts	February 28 2011, 3:52 pm
	786	Jeff Fancher	February 28 2011, 3:10 pm		848 *	Wayne Watts	February 28 2011, 3:52 pm
	787	Derek Roy	February 28 2011, 3:10 pm		849 *	Wayne Watts	February 28 2011, 3:52 pm
	788	Brooks Mccorcle	February 28 2011, 3:10 pm		850 *	Wayne Watts	February 28 2011, 3:52 pm
	789 *	John Stankey	February 28 2011, 3:11 pm		851	Brooks Mccorcle	February 28 2011, 3:52 pm
	790	Brooks Mccorcle	February 28 2011, 3:11 pm		852	Brooks Mccorcle	February 28 2011, 3:53 pm
	791	Brooks Mccorcle	February 28 2011, 3:13 pm		853	Brooks Mccorcle	February 28 2011, 3:53 pm
	792	Brooks Mccorcle	February 28 2011, 3:13 pm		854	Wayne Watts	February 28 2011, 3:54 pm
	793 *	John Stankey	February 28 2011, 3:14 pm		855	Brooks Mccorcle	February 28 2011, 3:54 pm
	794 *	John Stankey	February 28 2011, 3:14 pm		856 *	Ralph Delavega	February 28 2011, 3:55 pm
	795	Brooks Mccorcle	February 28 2011, 3:14 pm		857 *	Wayne Watts	February 28 2011, 3:55 pm
	796	Brooks Mccorcle	February 28 2011, 3:14 pm		858	Wayne Watts	February 28 2011, 3:55 pm
	797	Brooks Mccorcle	February 28 2011, 3:15 pm		859	Rayford Wilkins	February 28 2011, 3:56 pm
	798	Brooks Mccorcle	February 28 2011, 3:15 pm		860	Rayford Wilkins	February 28 2011, 3:56 pm
	799	Wayne Watts	February 28 2011, 3:16 pm		861	Wayne Watts	February 28 2011, 3:56 pm
	800	Wayne Watts	February 28 2011, 3:16 pm		862	Wayne Watts	February 28 2011, 3:56 pm
	801	Brooks Mccorcle	February 28 2011, 3:16 pm		863	Brooks Mccorcle	February 28 2011, 3:56 pm
	802	Brooks Mccorcle	February 28 2011, 3:16 pm		864 *	Ralph Delavega	February 28 2011, 3:57 pm
	803 *	John Stankey	February 28 2011, 3:17 pm		865 *	Ralph Delavega	February 28 2011, 3:58 pm
	804 *	Ralph Delavega	February 28 2011, 3:19 pm		866 *	Ralph Delavega	February 28 2011, 3:58 pm
	805 *	Ralph Delavega	February 28 2011, 3:19 pm		867 *	Ralph Delavega	February 28 2011, 3:58 pm
	806 *	Ralph Delavega	February 28 2011, 3:19 pm		868	Brooks Mccorcle	February 28 2011, 3:58 pm

**Documented ATT Employees email open and internal email communication with other ATT employees about the Claimant**

AT&T				AT&T			
<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>	<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>
	869	Randall Stephenson	February 28 2011, 3:58 pm		931	Randall Stephenson	February 28 2011, 4:38 pm
	870	Wayne Watts	February 28 2011, 3:59 pm		932	Ralph Delavega	February 28 2011, 4:38 pm
	871 *	Ralph Delavega	February 28 2011, 4:00 pm		933	Ralph Delavega	February 28 2011, 4:39 pm
	872	Brooks Mccorcle	February 28 2011, 4:00 pm		934	Ralph Delavega	February 28 2011, 4:39 pm
	873 *	Ralph Delavega	February 28 2011, 4:01 pm		935	Ralph Delavega	February 28 2011, 4:39 pm
	874 *	Wayne Watts	February 28 2011, 4:01 pm		936	Randall Stephenson	February 28 2011, 4:39 pm
	875	Brooks Mccorcle	February 28 2011, 4:01 pm		937	Randall Stephenson	February 28 2011, 4:39 pm
	876 *	Ralph Delavega	February 28 2011, 4:02 pm		938	Randall Stephenson	February 28 2011, 4:39 pm
	877 *	Wayne Watts	February 28 2011, 4:02 pm		939	Randall Stephenson	February 28 2011, 4:39 pm
	878 *	Wayne Watts	February 28 2011, 4:02 pm		940	Rayford Wilkins	February 28 2011, 4:39 pm
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	880 *	Wayne Watts	February 28 2011, 4:02 pm		942	Ralph Delavega	February 28 2011, 4:40 pm
	881 *	Wayne Watts	February 28 2011, 4:02 pm		943	Ralph Delavega	February 28 2011, 4:40 pm
	882	Brooks Mccorcle	February 28 2011, 4:03 pm		944	Ralph Delavega	February 28 2011, 4:40 pm
	883	Brooks Mccorcle	February 28 2011, 4:04 pm		945	Ralph Delavega	February 28 2011, 4:40 pm
	884	Brooks Mccorcle	February 28 2011, 4:04 pm		946	Ralph Delavega	February 28 2011, 4:40 pm
	885 *	Ralph Delavega	February 28 2011, 4:05 pm		947	Rayford Wilkins	February 28 2011, 4:40 pm
	886 *	Ralph Delavega	February 28 2011, 4:07 pm		948	Ralph Delavega	February 28 2011, 4:40 pm
	887 *	Wayne Watts	February 28 2011, 4:07 pm		949	Ralph Delavega	February 28 2011, 4:40 pm
	888 *	Wayne Watts	February 28 2011, 4:09 pm		950	Rayford Wilkins	February 28 2011, 4:40 pm
	889 *	Wayne Watts	February 28 2011, 4:09 pm		951	Randall Stephenson	February 28 2011, 4:40 pm
	890 *	Wayne Watts	February 28 2011, 4:09 pm		952 *	Ralph Delavega	February 28 2011, 4:41 pm
	891 *	Ralph Delavega	February 28 2011, 4:11 pm		953	Rayford Wilkins	February 28 2011, 4:41 pm
	892	Brooks Mccorcle	February 28 2011, 4:11 pm		954	Rayford Wilkins	February 28 2011, 4:41 pm
	893	Wayne Watts	February 28 2011, 4:11 pm		955	Joseph Parsons	February 28 2011, 4:41 pm
	894 *	Ralph Delavega	February 28 2011, 4:12 pm		956	Ralph Delavega	February 28 2011, 4:41 pm
	895	Wayne Watts	February 28 2011, 4:12 pm		957	Ralph Delavega	February 28 2011, 4:42 pm
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	897	Wayne Watts	February 28 2011, 4:12 pm		959	Ralph Delavega	February 28 2011, 4:45 pm
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	899 *	Wayne Watts	February 28 2011, 4:15 pm		961	Rayford Wilkins	February 28 2011, 4:46 pm
	900 *	Ralph Delavega	February 28 2011, 4:17 pm		962 *	Ralph Delavega	February 28 2011, 4:47 pm
	901	Wayne Watts	February 28 2011, 4:17 pm		963 *	Ralph Delavega	February 28 2011, 4:47 pm
	902	Wayne Watts	February 28 2011, 4:23 pm		964 *	Ralph Delavega	February 28 2011, 4:47 pm
	903	Derek Roy	February 28 2011, 4:27 pm		965 *	Ralph Delavega	February 28 2011, 4:47 pm
	904	Richard Lindner	February 28 2011, 4:28 pm		966	Brooks Mccorcle	February 28 2011, 4:47 pm
	905	Randall Stephenson	February 28 2011, 4:29 pm		967	Brooks Mccorcle	February 28 2011, 4:47 pm
	906	Ralph Delavega	February 28 2011, 4:29 pm		968	Brooks Mccorcle	February 28 2011, 4:47 pm
	907	Randall Stephenson	February 28 2011, 4:29 pm		969	Brooks Mccorcle	February 28 2011, 4:47 pm
	908	Randall Stephenson	February 28 2011, 4:29 pm		970	Brooks Mccorcle	February 28 2011, 4:47 pm
	909	Richard Lindner	February 28 2011, 4:32 pm		971	Ralph Delavega	February 28 2011, 4:47 pm
	910	Ralph Delavega	February 28 2011, 4:34 pm		972	Ralph Delavega	February 28 2011, 4:47 pm
	911	Ralph Delavega	February 28 2011, 4:34 pm		973	Randall Stephenson	February 28 2011, 4:47 pm
	912	Ralph Delavega	February 28 2011, 4:34 pm		974 *	Ralph Delavega	February 28 2011, 4:48 pm
	913	Ralph Delavega	February 28 2011, 4:34 pm		975 *	Ralph Delavega	February 28 2011, 4:48 pm
	914 *	Ralph Delavega	February 28 2011, 4:35 pm		976 *	Ralph Delavega	February 28 2011, 4:48 pm
	915 *	Ralph Delavega	February 28 2011, 4:35 pm		977	Randall Stephenson	February 28 2011, 4:49 pm
	916 *	Ralph Delavega	February 28 2011, 4:35 pm		978 *	Ralph Delavega	February 28 2011, 4:50 pm
	917	Brooks Mccorcle	February 28 2011, 4:35 pm		979	Brooks Mccorcle	February 28 2011, 4:51 pm
	918 *	Ralph Delavega	February 28 2011, 4:37 pm		980	Brooks Mccorcle	February 28 2011, 4:51 pm
	919	Brooks Mccorcle	February 28 2011, 4:37 pm		981 *	Ralph Delavega	February 28 2011, 4:52 pm
	920	Randall Stephenson	February 28 2011, 4:37 pm		982	Brooks Mccorcle	February 28 2011, 4:52 pm
	921	Rayford Wilkins	February 28 2011, 4:37 pm		983	Randall Stephenson	February 28 2011, 4:53 pm
	922	Rayford Wilkins	February 28 2011, 4:37 pm		984	Ralph Delavega	February 28 2011, 4:53 pm
	923	Randall Stephenson	February 28 2011, 4:37 pm		985	Randall Stephenson	February 28 2011, 4:53 pm
	924 *	Rayford Wilkins	February 28 2011, 4:38 pm		986	Ralph Delavega	February 28 2011, 4:53 pm
	925 *	Rayford Wilkins	February 28 2011, 4:38 pm		987 *	Catherine Coughlin	February 28 2011, 4:54 pm
	926	Ralph Delavega	February 28 2011, 4:38 pm		988 *	Ralph Delavega	February 28 2011, 4:54 pm
	927	Ralph Delavega	February 28 2011, 4:38 pm		989 *	Catherine Coughlin	February 28 2011, 4:54 pm
	928	Ralph Delavega	February 28 2011, 4:38 pm		990 *	Catherine Coughlin	February 28 2011, 4:54 pm
	929	Ralph Delavega	February 28 2011, 4:38 pm		991	Brooks Mccorcle	February 28 2011, 4:54 pm
	930	Randall Stephenson	February 28 2011, 4:38 pm		992	Jeff Fancher	February 28 2011, 4:54 pm



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<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>	<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>
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	994	Randall Stephenson	February 28 2011, 4:54 pm		1056 *	Catherine Coughlin	February 28 2011, 5:22 pm
	995	Ralph Delavega	February 28 2011, 4:54 pm		1057	Brooks Mccorcle	February 28 2011, 5:23 pm
	996 *	Ralph Delavega	February 28 2011, 4:55 pm		1058	Brooks Mccorcle	February 28 2011, 5:23 pm
	997	Ralph Delavega	February 28 2011, 4:55 pm		1059 *	Catherine Coughlin	February 28 2011, 5:24 pm
	998	Ralph Delavega	February 28 2011, 4:55 pm		1060	Brooks Mccorcle	February 28 2011, 5:26 pm
	999	Ralph Delavega	February 28 2011, 4:55 pm		1061	Brooks Mccorcle	February 28 2011, 5:27 pm
	1000	Randall Stephenson	February 28 2011, 4:55 pm		1062	Brooks Mccorcle	February 28 2011, 5:31 pm
	1001	Ralph Delavega	February 28 2011, 4:55 pm		1063	Brooks Mccorcle	February 28 2011, 5:31 pm
	1002	Ralph Delavega	February 28 2011, 4:55 pm		1064	Brooks Mccorcle	February 28 2011, 5:33 pm
	1003 *	Ralph Delavega	February 28 2011, 4:56 pm		1065	Brooks Mccorcle	February 28 2011, 5:33 pm
	1004 *	Catherine Coughlin	February 28 2011, 4:57 pm		1066	Brooks Mccorcle	February 28 2011, 5:33 pm
	1005	Randall Stephenson	February 28 2011, 4:57 pm		1067	Ralph Delavega	February 28 2011, 5:38 pm
	1006 *	Catherine Coughlin	February 28 2011, 4:58 pm		1068	Brooks Mccorcle	February 28 2011, 5:45 pm
	1007	Randall Stephenson	February 28 2011, 4:58 pm		1069	Brooks Mccorcle	February 28 2011, 5:45 pm
	1008	Randall Stephenson	February 28 2011, 4:58 pm		1070	Brooks Mccorcle	February 28 2011, 5:47 pm
	1009	Ralph Delavega	February 28 2011, 4:59 pm		1071	Jeff Fancher	February 28 2011, 5:53 pm
	1010	Ralph Delavega	February 28 2011, 5:00 pm		1072	Brooks Mccorcle	February 28 2011, 5:54 pm
	1011	Ralph Delavega	February 28 2011, 5:00 pm		1073	William Blase	February 28 2011, 5:57 pm
	1012	Ralph Delavega	February 28 2011, 5:00 pm		1074	Forrest Miller	February 28 2011, 5:57 pm
	1013	Ralph Delavega	February 28 2011, 5:00 pm		1075	William Blase	February 28 2011, 5:58 pm
	1014	Ralph Delavega	February 28 2011, 5:00 pm		1076	Wayne Watts	February 28 2011, 5:59 pm
	1015	Ralph Delavega	February 28 2011, 5:02 pm		1077	Wayne Watts	February 28 2011, 5:59 pm
	1016	Ralph Delavega	February 28 2011, 5:02 pm		1078	Wayne Watts	February 28 2011, 6:00 pm
	1017	Ralph Delavega	February 28 2011, 5:03 pm		1079 *	Ralph Delavega	February 28 2011, 6:04 pm
	1018	Ralph Delavega	February 28 2011, 5:03 pm		1080 *	Ralph Delavega	February 28 2011, 6:04 pm
	1019	Randall Stephenson	February 28 2011, 5:03 pm		1081 *	Randall Stephenson	February 28 2011, 6:04 pm
	1020	Ralph Delavega	February 28 2011, 5:04 pm		1082	Ralph Delavega	February 28 2011, 6:04 pm
	1021 *	Catherine Coughlin	February 28 2011, 5:05 pm		1083 *	Ralph Delavega	February 28 2011, 6:06 pm
	1022 *	John Stankey	February 28 2011, 5:06 pm		1084 *	Ralph Delavega	February 28 2011, 6:08 pm
	1023 *	John Stankey	February 28 2011, 5:06 pm		1085 *	Randall Stephenson	February 28 2011, 6:09 pm
	1024 *	Ralph Delavega	February 28 2011, 5:06 pm		1086	Brooks Mccorcle	February 28 2011, 6:09 pm
	1025 *	Catherine Coughlin	February 28 2011, 5:07 pm		1087	Ralph Delavega	February 28 2011, 6:09 pm
	1026 *	Catherine Coughlin	February 28 2011, 5:07 pm		1088 *	Ralph Delavega	February 28 2011, 6:10 pm
	1027 *	Catherine Coughlin	February 28 2011, 5:07 pm		1089	Brooks Mccorcle	February 28 2011, 6:13 pm
	1028	Randall Stephenson	February 28 2011, 5:07 pm		1090 *	Randall Stephenson	February 28 2011, 6:14 pm
	1029 *	Catherine Coughlin	February 28 2011, 5:08 pm		1091	Brooks Mccorcle	February 28 2011, 6:14 pm
	1030 *	Catherine Coughlin	February 28 2011, 5:08 pm		1092	Randall Stephenson	February 28 2011, 6:14 pm
	1031	Ralph Delavega	February 28 2011, 5:08 pm		1093	Ralph Delavega	February 28 2011, 6:14 pm
	1032	Ralph Delavega	February 28 2011, 5:08 pm		1094 *	Randall Stephenson	February 28 2011, 6:15 pm
	1033 *	Catherine Coughlin	February 28 2011, 5:09 pm		1095	Randall Stephenson	February 28 2011, 6:16 pm
	1034 *	Catherine Coughlin	February 28 2011, 5:09 pm		1096	Brooks Mccorcle	February 28 2011, 6:21 pm
	1035 *	Catherine Coughlin	February 28 2011, 5:09 pm		1097	Brooks Mccorcle	February 28 2011, 6:21 pm
	1036 *	Catherine Coughlin	February 28 2011, 5:09 pm		1098	Brooks Mccorcle	February 28 2011, 6:25 pm
	1037	Brooks Mccorcle	February 28 2011, 5:09 pm		1099 *	John Stankey	February 28 2011, 6:30 pm
	1038	Brooks Mccorcle	February 28 2011, 5:09 pm		1100	Christopher Womack	February 28 2011, 6:33 pm
	1039	Brooks Mccorcle	February 28 2011, 5:09 pm		1101	Joseph Parsons	February 28 2011, 6:41 pm
	1040	Brooks Mccorcle	February 28 2011, 5:09 pm		1102	William Blase	February 28 2011, 7:21 pm
	1041	Brooks Mccorcle	February 28 2011, 5:09 pm		1103	William Blase	February 28 2011, 7:25 pm
	1042	Brooks Mccorcle	February 28 2011, 5:10 pm		1104	William Blase	February 28 2011, 7:32 pm
	1043 *	John Stankey	February 28 2011, 5:11 pm		1105	William Blase	February 28 2011, 7:32 pm
	1044 *	Catherine Coughlin	February 28 2011, 5:11 pm		1106	Brooks Mccorcle	February 28 2011, 7:33 pm
	1045	Randall Stephenson	February 28 2011, 5:11 pm		1107	William Blase	February 28 2011, 7:34 pm
	1046	Brooks Mccorcle	February 28 2011, 5:12 pm		1108	William Blase	February 28 2011, 7:34 pm
	1047	Brooks Mccorcle	February 28 2011, 5:15 pm		1109	William Blase	February 28 2011, 7:34 pm
	1048	Brooks Mccorcle	February 28 2011, 5:15 pm		1110	William Blase	February 28 2011, 7:40 pm
	1049	Brooks Mccorcle	February 28 2011, 5:17 pm		1111	William Blase	February 28 2011, 7:41 pm
	1050	Brooks Mccorcle	February 28 2011, 5:20 pm		1112	William Blase	February 28 2011, 7:41 pm
	1051	Brooks Mccorcle	February 28 2011, 5:20 pm		1113	William Blase	February 28 2011, 7:49 pm
	1052	Brooks Mccorcle	February 28 2011, 5:20 pm		1114	William Blase	February 28 2011, 7:50 pm
	1053	Brooks Mccorcle	February 28 2011, 5:21 pm		1115	William Blase	February 28 2011, 7:59 pm
	1054	Brooks Mccorcle	February 28 2011, 5:21 pm		1116	William Blase	February 28 2011, 8:00 pm

**Documented ATT Employees email open and internal email communication with other ATT employees about the Claimant**

AT&T				AT&T			
<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>	<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>
	1117	William Blase	February 28 2011, 8:02 pm		1179	Brooks Mccorcle	March 1 2011, 8:17 am
	1118 *	Wayne Watts	February 28 2011, 8:05 pm		1180	Brooks Mccorcle	March 1 2011, 8:17 am
	1119 *	Wayne Watts	February 28 2011, 8:06 pm		1181	Brooks Mccorcle	March 1 2011, 8:18 am
	1120 *	Wayne Watts	February 28 2011, 8:11 pm		1182	Brooks Mccorcle	March 1 2011, 8:18 am
	1121	William Blase	February 28 2011, 8:11 pm		1183	Brooks Mccorcle	March 1 2011, 8:18 am
	1122 *	John Stankey	February 28 2011, 8:12 pm		1184	Brooks Mccorcle	March 1 2011, 8:18 am
	1123	William Blase	February 28 2011, 8:12 pm		1185	Kent Evans	March 1 2011, 8:18 am
	1124 *	Wayne Watts	February 28 2011, 8:14 pm		1186 *	Ralph Delavega	March 1 2011, 8:19 am
	1125 *	Wayne Watts	February 28 2011, 8:14 pm		1187 *	Catherine Coughlin	March 1 2011, 8:19 am
	1126 *	John Stankey	February 28 2011, 8:20 pm		1188 *	Catherine Coughlin	March 1 2011, 8:20 am
	1127 *	Wayne Watts	February 28 2011, 8:49 pm		1189 *	Catherine Coughlin	March 1 2011, 8:20 am
	1128	William Kuhn	February 28 2011, 8:51 pm		1190	Brooks Mccorcle	March 1 2011, 8:20 am
	1129	William Blase	February 28 2011, 8:51 pm		1191	Ralph Delavega	March 1 2011, 8:20 am
	1130	William Kuhn	February 28 2011, 8:53 pm		1192 *	Catherine Coughlin	March 1 2011, 8:21 am
	1131	William Kuhn	February 28 2011, 8:53 pm		1193 *	Catherine Coughlin	March 1 2011, 8:21 am
	1132	William Kuhn	February 28 2011, 8:54 pm		1194	Brooks Mccorcle	March 1 2011, 8:21 am
	1133	Rayford Wilkins	February 28 2011, 9:58 pm		1195	Brooks Mccorcle	March 1 2011, 8:21 am
	1134 *	Wayne Watts	March 1 2011, 6:11 am		1196	Brooks Mccorcle	March 1 2011, 8:21 am
	1135 *	Wayne Watts	March 1 2011, 6:25 am		1197	Brooks Mccorcle	March 1 2011, 8:21 am
	1136	Wayne Watts	March 1 2011, 6:26 am		1198 *	John Stankey	March 1 2011, 8:22 am
	1137	Ralph Delavega	March 1 2011, 6:39 am		1199 *	Catherine Coughlin	March 1 2011, 8:22 am
	1138	Brooks Mccorcle	March 1 2011, 6:43 am		1200 *	John Stankey	March 1 2011, 8:22 am
	1139 *	Wayne Watts	March 1 2011, 6:57 am		1201	Brooks Mccorcle	March 1 2011, 8:22 am
	1140	Wayne Watts	March 1 2011, 6:57 am		1202	Brooks Mccorcle	March 1 2011, 8:22 am
	1141 *	Wayne Watts	March 1 2011, 6:58 am		1203	Brooks Mccorcle	March 1 2011, 8:23 am
	1142 *	Wayne Watts	March 1 2011, 6:59 am		1204	Brooks Mccorcle	March 1 2011, 8:23 am
	1143	Wayne Watts	March 1 2011, 6:59 am		1205	Brooks Mccorcle	March 1 2011, 8:23 am
	1144	Wayne Watts	March 1 2011, 6:59 am		1206	Brooks Mccorcle	March 1 2011, 8:23 am
	1145	Rayford Wilkins	March 1 2011, 7:04 am		1207	Brooks Mccorcle	March 1 2011, 8:23 am
	1146	Ralph Delavega	March 1 2011, 7:19 am		1208	Brooks Mccorcle	March 1 2011, 8:23 am
	1147 *	Catherine Coughlin	March 1 2011, 7:21 am		1209 *	John Stankey	March 1 2011, 8:24 am
	1148	William Blase	March 1 2011, 7:22 am		1210 *	John Stankey	March 1 2011, 8:24 am
	1149	Rayford Wilkins	March 1 2011, 7:23 am		1211 *	John Stankey	March 1 2011, 8:24 am
	1150 *	Ralph Delavega	March 1 2011, 7:25 am		1212	Brooks Mccorcle	March 1 2011, 8:24 am
	1151 *	Ralph Delavega	March 1 2011, 7:25 am		1213	Brooks Mccorcle	March 1 2011, 8:24 am
	1152 *	Ralph Delavega	March 1 2011, 7:25 am		1214	Randall Stephenson	March 1 2011, 8:24 am
	1153 *	Ralph Delavega	March 1 2011, 7:26 am		1215	Brooks Mccorcle	March 1 2011, 8:24 am
	1154	Ralph Delavega	March 1 2011, 7:31 am		1216	Brooks Mccorcle	March 1 2011, 8:24 am
	1155	Randall Stephenson	March 1 2011, 7:32 am		1217	Randall Stephenson	March 1 2011, 8:24 am
	1156	Randall Stephenson	March 1 2011, 7:32 am		1218	Brooks Mccorcle	March 1 2011, 8:24 am
	1157 *	Ralph Delavega	March 1 2011, 7:34 am		1219 *	John Stankey	March 1 2011, 8:25 am
	1158 *	Catherine Coughlin	March 1 2011, 7:36 am		1220 *	Catherine Coughlin	March 1 2011, 8:25 am
	1159 *	Catherine Coughlin	March 1 2011, 7:36 am		1221 *	John Stankey	March 1 2011, 8:25 am
	1160	Randall Stephenson	March 1 2011, 7:36 am		1222 *	John Stankey	March 1 2011, 8:25 am
	1161 *	Catherine Coughlin	March 1 2011, 7:37 am		1223 *	John Stankey	March 1 2011, 8:25 am
	1162 *	Catherine Coughlin	March 1 2011, 7:37 am		1224 *	John Stankey	March 1 2011, 8:25 am
	1163 *	Ralph Delavega	March 1 2011, 7:38 am		1225	Brooks Mccorcle	March 1 2011, 8:25 am
	1164	Randall Stephenson	March 1 2011, 7:38 am		1226	Randall Stephenson	March 1 2011, 8:25 am
	1165 *	Catherine Coughlin	March 1 2011, 7:39 am		1227	Randall Stephenson	March 1 2011, 8:25 am
	1166 *	Wayne Watts	March 1 2011, 7:40 am		1228	Randall Stephenson	March 1 2011, 8:25 am
	1167 *	Wayne Watts	March 1 2011, 7:40 am		1229 *	Catherine Coughlin	March 1 2011, 8:26 am
	1168 *	Catherine Coughlin	March 1 2011, 7:40 am		1230 *	Catherine Coughlin	March 1 2011, 8:26 am
	1169 *	Catherine Coughlin	March 1 2011, 7:43 am		1231	Brooks Mccorcle	March 1 2011, 8:26 am
	1170 *	Catherine Coughlin	March 1 2011, 7:43 am		1232	Brooks Mccorcle	March 1 2011, 8:26 am
	1171 *	Catherine Coughlin	March 1 2011, 7:46 am		1233 *	Catherine Coughlin	March 1 2011, 8:27 am
	1172 *	Ralph Delavega	March 1 2011, 7:58 am		1234 *	Catherine Coughlin	March 1 2011, 8:27 am
	1173 *	Ralph Delavega	March 1 2011, 8:00 am		1235 *	John Stankey	March 1 2011, 8:27 am
	1174 *	Wayne Watts	March 1 2011, 8:01 am		1236 *	Catherine Coughlin	March 1 2011, 8:27 am
	1175 *	Catherine Coughlin	March 1 2011, 8:03 am		1237 *	John Stankey	March 1 2011, 8:27 am
	1176	Brooks Mccorcle	March 1 2011, 8:17 am		1238 *	John Stankey	March 1 2011, 8:27 am
	1177	Brooks Mccorcle	March 1 2011, 8:17 am		1239	Brooks Mccorcle	March 1 2011, 8:27 am
	1178	Brooks Mccorcle	March 1 2011, 8:17 am		1240	Randall Stephenson	March 1 2011, 8:27 am

**Documented ATT Employees email open and internal email communication with other ATT employees about the Claimant**

AT&T				AT&T			
<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>	<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>
	1241 *	John Stankey	March 1 2011, 8:28 am		1303 *	John Stankey	March 1 2011, 10:00 am
	1242	Randall Stephenson	March 1 2011, 8:28 am		1304 *	John Stankey	March 1 2011, 10:01 am
	1243 *	John Stankey	March 1 2011, 8:30 am		1305 *	John Stankey	March 1 2011, 10:02 am
	1244	Brooks Mccorcle	March 1 2011, 8:30 am		1306 *	John Stankey	March 1 2011, 10:02 am
	1245	Brooks Mccorcle	March 1 2011, 8:30 am		1307 *	John Stankey	March 1 2011, 10:03 am
	1246 *	John Stankey	March 1 2011, 8:32 am		1308 *	John Stankey	March 1 2011, 10:03 am
	1247	Randall Stephenson	March 1 2011, 8:33 am		1309 *	John Stankey	March 1 2011, 10:04 am
	1248 *	John Stankey	March 1 2011, 8:34 am		1310 *	John Stankey	March 1 2011, 10:05 am
	1249 *	John Stankey	March 1 2011, 8:34 am		1311 *	John Stankey	March 1 2011, 10:05 am
	1250 *	John Stankey	March 1 2011, 8:34 am		1312 *	John Stankey	March 1 2011, 10:05 am
	1251 *	John Stankey	March 1 2011, 8:34 am		1313	Randall Stephenson	March 1 2011, 10:06 am
	1252 *	John Stankey	March 1 2011, 8:35 am		1314	Randall Stephenson	March 1 2011, 10:06 am
	1253 *	John Stankey	March 1 2011, 8:35 am		1315	Randall Stephenson	March 1 2011, 10:06 am
	1254 *	John Stankey	March 1 2011, 8:35 am		1316	Jeff Fancher	March 1 2011, 10:06 am
	1255 *	John Stankey	March 1 2011, 8:35 am		1317	Jeff Fancher	March 1 2011, 10:06 am
	1256 *	Catherine Coughlin	March 1 2011, 8:35 am		1318	Brooks Mccorcle	March 1 2011, 10:06 am
	1257 *	Catherine Coughlin	March 1 2011, 8:35 am		1319	Brooks Mccorcle	March 1 2011, 10:06 am
	1258 *	John Stankey	March 1 2011, 8:36 am		1320 *	John Stankey	March 1 2011, 10:07 am
	1259 *	John Stankey	March 1 2011, 8:38 am		1321	Brooks Mccorcle	March 1 2011, 10:07 am
	1260 *	John Stankey	March 1 2011, 8:40 am		1322	Brooks Mccorcle	March 1 2011, 10:07 am
	1261	Randall Stephenson	March 1 2011, 8:40 am		1323	Brooks Mccorcle	March 1 2011, 10:07 am
	1262 *	John Stankey	March 1 2011, 8:44 am		1324	Brooks Mccorcle	March 1 2011, 10:07 am
	1263	Brooks Mccorcle	March 1 2011, 8:44 am		1325 *	John Stankey	March 1 2011, 10:08 am
	1264 *	Ralph Delavega	March 1 2011, 8:45 am		1326 *	John Stankey	March 1 2011, 10:08 am
	1265 *	Ralph Delavega	March 1 2011, 8:45 am		1327	Brooks Mccorcle	March 1 2011, 10:09 am
	1266 *	Ralph Delavega	March 1 2011, 8:46 am		1328	Brooks Mccorcle	March 1 2011, 10:09 am
	1267	William Blase	March 1 2011, 8:46 am		1329 *	John Stankey	March 1 2011, 10:10 am
	1268 *	Ralph Delavega	March 1 2011, 8:47 am		1330 *	John Stankey	March 1 2011, 10:10 am
	1269	Randall Stephenson	March 1 2011, 8:47 am		1331	Brooks Mccorcle	March 1 2011, 10:10 am
	1270 *	Ralph Delavega	March 1 2011, 8:48 am		1332	Brooks Mccorcle	March 1 2011, 10:10 am
	1271 *	Ralph Delavega	March 1 2011, 8:49 am		1333	Brooks Mccorcle	March 1 2011, 10:10 am
	1272	Randall Stephenson	March 1 2011, 8:49 am		1334	Ralph Delavega	March 1 2011, 10:10 am
	1273	Randall Stephenson	March 1 2011, 8:50 am		1335 *	John Stankey	March 1 2011, 10:11 am
	1274	Randall Stephenson	March 1 2011, 8:51 am		1336	Randall Stephenson	March 1 2011, 10:11 am
	1275	William Blase	March 1 2011, 8:51 am		1337	Randall Stephenson	March 1 2011, 10:11 am
	1276	William Blase	March 1 2011, 8:51 am		1338	Randall Stephenson	March 1 2011, 10:11 am
	1277 *	Ralph Delavega	March 1 2011, 8:53 am		1339	Randall Stephenson	March 1 2011, 10:11 am
	1278	Richard Lindner	March 1 2011, 8:56 am		1340	Ralph Delavega	March 1 2011, 10:11 am
	1279	Randall Stephenson	March 1 2011, 8:58 am		1341	Randall Stephenson	March 1 2011, 10:11 am
	1280 *	Ralph Delavega	March 1 2011, 8:59 am		1342	Ralph Delavega	March 1 2011, 10:11 am
	1281	Randall Stephenson	March 1 2011, 9:00 am		1343	Brooks Mccorcle	March 1 2011, 10:12 am
	1282	Randall Stephenson	March 1 2011, 9:00 am		1344	Brooks Mccorcle	March 1 2011, 10:12 am
	1283	Randall Stephenson	March 1 2011, 9:01 am		1345	Randall Stephenson	March 1 2011, 10:12 am
	1284 *	Ralph Delavega	March 1 2011, 9:03 am		1346	Randall Stephenson	March 1 2011, 10:12 am
	1285	Randall Stephenson	March 1 2011, 9:03 am		1347	Randall Stephenson	March 1 2011, 10:12 am
	1286	Randall Stephenson	March 1 2011, 9:06 am		1348	Randall Stephenson	March 1 2011, 10:12 am
	1287 *	Catherine Coughlin	March 1 2011, 9:14 am		1349	Ralph Delavega	March 1 2011, 10:12 am
	1288 *	Catherine Coughlin	March 1 2011, 9:14 am		1350 *	John Stankey	March 1 2011, 10:13 am
	1289 *	Catherine Coughlin	March 1 2011, 9:14 am		1351 *	John Stankey	March 1 2011, 10:14 am
	1290	Wayne Watts	March 1 2011, 9:16 am		1352 *	John Stankey	March 1 2011, 10:14 am
	1291 *	John Stankey	March 1 2011, 9:20 am		1353	Randall Stephenson	March 1 2011, 10:14 am
	1292	Jeff Fancher	March 1 2011, 9:20 am		1354	Randall Stephenson	March 1 2011, 10:14 am
	1293	Brooks Mccorcle	March 1 2011, 9:20 am		1355	Randall Stephenson	March 1 2011, 10:14 am
	1294 *	John Stankey	March 1 2011, 9:21 am		1356 *	John Stankey	March 1 2011, 10:15 am
	1295 *	Ralph Delavega	March 1 2011, 9:23 am		1357 *	John Stankey	March 1 2011, 10:15 am
	1296	William Blase	March 1 2011, 9:40 am		1358 *	John Stankey	March 1 2011, 10:15 am
	1297 *	John Stankey	March 1 2011, 9:41 am		1359	Brooks Mccorcle	March 1 2011, 10:16 am
	1298 *	John Stankey	March 1 2011, 9:41 am		1360	Randall Stephenson	March 1 2011, 10:16 am
	1299 *	Wayne Watts	March 1 2011, 9:46 am		1361	Randall Stephenson	March 1 2011, 10:16 am
	1300 *	John Stankey	March 1 2011, 9:47 am		1362	Randall Stephenson	March 1 2011, 10:16 am
	1301	William Blase	March 1 2011, 9:50 am		1363	Randall Stephenson	March 1 2011, 10:16 am
	1302 *	John Stankey	March 1 2011, 9:59 am		1364 *	John Stankey	March 1 2011, 10:17 am

**Documented ATT Employees email open and internal email communication with other ATT employees about the Claimant**

AT&T				AT&T			
<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>	<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>
	1365 *	John Stankey	March 1 2011, 10:17 am		1427	Brooks Mccorcle	March 1 2011, 10:36 am
	1366	Randall Stephenson	March 1 2011, 10:17 am		1428 *	John Stankey	March 1 2011, 10:37 am
	1367	Brooks Mccorcle	March 1 2011, 10:17 am		1429 *	John Stankey	March 1 2011, 10:37 am
	1368	Brooks Mccorcle	March 1 2011, 10:17 am		1430 *	John Stankey	March 1 2011, 10:38 am
	1369	Brooks Mccorcle	March 1 2011, 10:17 am		1431 *	John Stankey	March 1 2011, 10:38 am
	1370	Kent Evans	March 1 2011, 10:17 am		1432 *	John Stankey	March 1 2011, 10:38 am
	1371	Brooks Mccorcle	March 1 2011, 10:17 am		1433 *	John Stankey	March 1 2011, 10:38 am
	1372	Brooks Mccorcle	March 1 2011, 10:17 am		1434 *	John Stankey	March 1 2011, 10:38 am
	1373	Brooks Mccorcle	March 1 2011, 10:17 am		1435	Ralph Delavega	March 1 2011, 10:38 am
	1374	Randall Stephenson	March 1 2011, 10:18 am		1436	Brooks Mccorcle	March 1 2011, 10:38 am
	1375 *	John Stankey	March 1 2011, 10:19 am		1437 *	John Stankey	March 1 2011, 10:39 am
	1376	Randall Stephenson	March 1 2011, 10:19 am		1438 *	John Stankey	March 1 2011, 10:39 am
	1377	Brooks Mccorcle	March 1 2011, 10:19 am		1439 *	John Stankey	March 1 2011, 10:39 am
	1378	Brooks Mccorcle	March 1 2011, 10:19 am		1440	Randall Stephenson	March 1 2011, 10:39 am
	1379	Randall Stephenson	March 1 2011, 10:20 am		1441	Brooks Mccorcle	March 1 2011, 10:39 am
	1380	Brooks Mccorcle	March 1 2011, 10:20 am		1442	Brooks Mccorcle	March 1 2011, 10:40 am
	1381 *	John Stankey	March 1 2011, 10:21 am		1443	Brooks Mccorcle	March 1 2011, 10:40 am
	1382 *	John Stankey	March 1 2011, 10:21 am		1444 *	John Stankey	March 1 2011, 10:41 am
	1383 *	John Stankey	March 1 2011, 10:21 am		1445 *	John Stankey	March 1 2011, 10:41 am
	1384 *	John Stankey	March 1 2011, 10:21 am		1446 *	John Stankey	March 1 2011, 10:41 am
	1385	Brooks Mccorcle	March 1 2011, 10:21 am		1447 *	John Stankey	March 1 2011, 10:41 am
	1386	Brooks Mccorcle	March 1 2011, 10:21 am		1448	Brooks Mccorcle	March 1 2011, 10:41 am
	1387	Randall Stephenson	March 1 2011, 10:21 am		1449	Brooks Mccorcle	March 1 2011, 10:41 am
	1388	Brooks Mccorcle	March 1 2011, 10:21 am		1450	Derek Roy	March 1 2011, 10:41 am
	1389 *	John Stankey	March 1 2011, 10:23 am		1451	Randall Stephenson	March 1 2011, 10:41 am
	1390 *	John Stankey	March 1 2011, 10:23 am		1452	Randall Stephenson	March 1 2011, 10:41 am
	1391 *	John Stankey	March 1 2011, 10:23 am		1453	Brooks Mccorcle	March 1 2011, 10:41 am
	1392 *	John Stankey	March 1 2011, 10:23 am		1454 *	John Stankey	March 1 2011, 10:42 am
	1393 *	John Stankey	March 1 2011, 10:23 am		1455	Ralph Delavega	March 1 2011, 10:42 am
	1394 *	Ralph Delavega	March 1 2011, 10:23 am		1456	Ralph Delavega	March 1 2011, 10:42 am
	1395 *	John Stankey	March 1 2011, 10:23 am		1457	Brooks Mccorcle	March 1 2011, 10:42 am
	1396 *	John Stankey	March 1 2011, 10:23 am		1458	Randall Stephenson	March 1 2011, 10:42 am
	1397 *	John Stankey	March 1 2011, 10:23 am		1459 *	John Stankey	March 1 2011, 10:43 am
	1398	Ralph Delavega	March 1 2011, 10:23 am		1460	Wayne Watts	March 1 2011, 10:43 am
	1399	Brooks Mccorcle	March 1 2011, 10:23 am		1461	Ralph Delavega	March 1 2011, 10:43 am
	1400	Randall Stephenson	March 1 2011, 10:23 am		1462	Wayne Watts	March 1 2011, 10:43 am
	1401	Jeff Fancher	March 1 2011, 10:23 am		1463	Wayne Watts	March 1 2011, 10:43 am
	1402	Randall Stephenson	March 1 2011, 10:24 am		1464	Brooks Mccorcle	March 1 2011, 10:43 am
	1403	Randall Stephenson	March 1 2011, 10:24 am		1465	Brooks Mccorcle	March 1 2011, 10:43 am
	1404	Ralph Delavega	March 1 2011, 10:24 am		1466	Randall Stephenson	March 1 2011, 10:43 am
	1405 *	John Stankey	March 1 2011, 10:25 am		1467	Randall Stephenson	March 1 2011, 10:44 am
	1406	Randall Stephenson	March 1 2011, 10:25 am		1468	Ralph Delavega	March 1 2011, 10:44 am
	1407	Brooks Mccorcle	March 1 2011, 10:25 am		1469	Ralph Delavega	March 1 2011, 10:44 am
	1408	Brooks Mccorcle	March 1 2011, 10:25 am		1470	Ralph Delavega	March 1 2011, 10:44 am
	1409 *	John Stankey	March 1 2011, 10:26 am		1471	Randall Stephenson	March 1 2011, 10:44 am
	1410	Brooks Mccorcle	March 1 2011, 10:26 am		1472	Randall Stephenson	March 1 2011, 10:44 am
	1411	Brooks Mccorcle	March 1 2011, 10:26 am		1473	Randall Stephenson	March 1 2011, 10:44 am
	1412	Brooks Mccorcle	March 1 2011, 10:27 am		1474	Randall Stephenson	March 1 2011, 10:44 am
	1413	Wayne Watts	March 1 2011, 10:29 am		1475 *	John Stankey	March 1 2011, 10:45 am
	1414 *	John Stankey	March 1 2011, 10:31 am		1476 *	John Stankey	March 1 2011, 10:45 am
	1415	Brooks Mccorcle	March 1 2011, 10:34 am		1477	Wayne Watts	March 1 2011, 10:45 am
	1416 *	John Stankey	March 1 2011, 10:35 am		1478	Ralph Delavega	March 1 2011, 10:45 am
	1417 *	John Stankey	March 1 2011, 10:35 am		1479	Brooks Mccorcle	March 1 2011, 10:45 am
	1418 *	John Stankey	March 1 2011, 10:35 am		1480 *	John Stankey	March 1 2011, 10:46 am
	1419 *	John Stankey	March 1 2011, 10:35 am		1481	Randall Stephenson	March 1 2011, 10:46 am
	1420	Brooks Mccorcle	March 1 2011, 10:35 am		1482	Randall Stephenson	March 1 2011, 10:46 am
	1421	Brooks Mccorcle	March 1 2011, 10:35 am		1483	Randall Stephenson	March 1 2011, 10:46 am
	1422	Brooks Mccorcle	March 1 2011, 10:35 am		1484	Brooks Mccorcle	March 1 2011, 10:46 am
	1423	Brooks Mccorcle	March 1 2011, 10:35 am		1485 *	John Stankey	March 1 2011, 10:47 am
	1424	Brooks Mccorcle	March 1 2011, 10:35 am		1486 *	John Stankey	March 1 2011, 10:47 am
	1425	Brooks Mccorcle	March 1 2011, 10:35 am		1487	Brooks Mccorcle	March 1 2011, 10:47 am
	1426	Brooks Mccorcle	March 1 2011, 10:36 am		1488	Brooks Mccorcle	March 1 2011, 10:47 am



**Documented ATT Employees email open and internal email communication with other ATT employees about the Claimant**

AT&T				AT&T			
<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>	<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>
	1489	Randall Stephenson	March 1 2011, 10:47 am		1551	Brooks Mccorcle	March 1 2011, 11:26 am
	1490	Brooks Mccorcle	March 1 2011, 10:48 am		1552	Brooks Mccorcle	March 1 2011, 11:26 am
	1491	Randall Stephenson	March 1 2011, 10:49 am		1553	Brooks Mccorcle	March 1 2011, 11:26 am
	1492 *	John Stankey	March 1 2011, 10:50 am		1554	Brooks Mccorcle	March 1 2011, 11:26 am
	1493	Randall Stephenson	March 1 2011, 10:50 am		1555	Brooks Mccorcle	March 1 2011, 11:26 am
	1494 *	John Stankey	March 1 2011, 10:51 am		1556	Brooks Mccorcle	March 1 2011, 11:26 am
	1495	Ralph Delavega	March 1 2011, 10:51 am		1557	Randall Stephenson	March 1 2011, 11:27 am
	1496	Ralph Delavega	March 1 2011, 10:51 am		1558	Rayford Wilkins	March 1 2011, 11:27 am
	1497	Ralph Delavega	March 1 2011, 10:51 am		1559	Randall Stephenson	March 1 2011, 11:30 am
	1498	Wayne Watts	March 1 2011, 10:51 am		1560	Rayford Wilkins	March 1 2011, 11:30 am
	1499	Brooks Mccorcle	March 1 2011, 10:51 am		1561	Rayford Wilkins	March 1 2011, 11:30 am
	1500	Randall Stephenson	March 1 2011, 10:51 am		1562 *	John Stankey	March 1 2011, 11:35 am
	1501	Randall Stephenson	March 1 2011, 10:52 am		1563	Ralph Delavega	March 1 2011, 11:35 am
	1502 *	John Stankey	March 1 2011, 10:53 am		1564	Ralph Delavega	March 1 2011, 11:35 am
	1503 *	John Stankey	March 1 2011, 10:54 am		1565	Ralph Delavega	March 1 2011, 11:35 am
	1504	Brooks Mccorcle	March 1 2011, 10:54 am		1566	Ralph Delavega	March 1 2011, 11:35 am
	1505	Brooks Mccorcle	March 1 2011, 10:56 am		1567	Brooks Mccorcle	March 1 2011, 11:35 am
	1506	Brooks Mccorcle	March 1 2011, 10:57 am		1568 *	John Stankey	March 1 2011, 11:37 am
	1507	Brooks Mccorcle	March 1 2011, 10:58 am		1569	Randall Stephenson	March 1 2011, 11:37 am
	1508	Brooks Mccorcle	March 1 2011, 10:58 am		1570 *	John Stankey	March 1 2011, 11:38 am
	1509	Brooks Mccorcle	March 1 2011, 10:58 am		1571	Ralph Delavega	March 1 2011, 11:40 am
	1510	Brooks Mccorcle	March 1 2011, 10:58 am		1572 *	John Stankey	March 1 2011, 11:42 am
	1511 *	John Stankey	March 1 2011, 10:59 am		1573	Brooks Mccorcle	March 1 2011, 11:44 am
	1512	Brooks Mccorcle	March 1 2011, 10:59 am		1574	Brooks Mccorcle	March 1 2011, 11:44 am
	1513	Brooks Mccorcle	March 1 2011, 10:59 am		1575	Brooks Mccorcle	March 1 2011, 11:44 am
	1514	Brooks Mccorcle	March 1 2011, 10:59 am		1576	Ralph Delavega	March 1 2011, 11:45 am
	1515	Brooks Mccorcle	March 1 2011, 10:59 am		1577	Brooks Mccorcle	March 1 2011, 11:46 am
	1516 *	John Stankey	March 1 2011, 11:00 am		1578	Brooks Mccorcle	March 1 2011, 11:46 am
	1517	Brooks Mccorcle	March 1 2011, 11:03 am		1579	Ralph Delavega	March 1 2011, 11:46 am
	1518	Brooks Mccorcle	March 1 2011, 11:03 am		1580 *	John Stankey	March 1 2011, 11:47 am
	1519	Brooks Mccorcle	March 1 2011, 11:07 am		1581 *	John Stankey	March 1 2011, 11:50 am
	1520	Brooks Mccorcle	March 1 2011, 11:08 am		1582 *	John Stankey	March 1 2011, 11:50 am
	1521	Brooks Mccorcle	March 1 2011, 11:15 am		1583 *	John Stankey	March 1 2011, 11:50 am
	1522 *	John Stankey	March 1 2011, 11:16 am		1584	Randall Stephenson	March 1 2011, 11:52 am
	1523 *	John Stankey	March 1 2011, 11:16 am		1585	Randall Stephenson	March 1 2011, 11:52 am
	1524 *	John Stankey	March 1 2011, 11:17 am		1586	Randall Stephenson	March 1 2011, 11:52 am
	1525	Ralph Delavega	March 1 2011, 11:17 am		1587 *	John Stankey	March 1 2011, 11:53 am
	1526	Ralph Delavega	March 1 2011, 11:17 am		1588 *	John Stankey	March 1 2011, 11:54 am
	1527 *	John Stankey	March 1 2011, 11:18 am		1589 *	John Stankey	March 1 2011, 11:54 am
	1528 *	John Stankey	March 1 2011, 11:18 am		1590 *	John Stankey	March 1 2011, 11:54 am
	1529	Randall Stephenson	March 1 2011, 11:18 am		1591	Ralph Delavega	March 1 2011, 11:54 am
	1530 *	John Stankey	March 1 2011, 11:19 am		1592 *	John Stankey	March 1 2011, 11:55 am
	1531 *	John Stankey	March 1 2011, 11:19 am		1593	Brooks Mccorcle	March 1 2011, 11:55 am
	1532 *	John Stankey	March 1 2011, 11:19 am		1594	Randall Stephenson	March 1 2011, 11:55 am
	1533 *	John Stankey	March 1 2011, 11:19 am		1595 *	John Stankey	March 1 2011, 11:57 am
	1534 *	John Stankey	March 1 2011, 11:22 am		1596	Ralph Delavega	March 1 2011, 11:57 am
	1535 *	John Stankey	March 1 2011, 11:24 am		1597 *	John Stankey	March 1 2011, 12:00 pm
	1536 *	John Stankey	March 1 2011, 11:24 am		1598 *	John Stankey	March 1 2011, 12:01 pm
	1537	Brooks Mccorcle	March 1 2011, 11:24 am		1599 *	John Stankey	March 1 2011, 12:02 pm
	1538 *	John Stankey	March 1 2011, 11:25 am		1600	Ralph Delavega	March 1 2011, 12:02 pm
	1539 *	John Stankey	March 1 2011, 11:25 am		1601 *	John Stankey	March 1 2011, 12:03 pm
	1540 *	John Stankey	March 1 2011, 11:25 am		1602 *	John Stankey	March 1 2011, 12:03 pm
	1541 *	John Stankey	March 1 2011, 11:25 am		1603 *	John Stankey	March 1 2011, 12:03 pm
	1542	Brooks Mccorcle	March 1 2011, 11:25 am		1604 *	John Stankey	March 1 2011, 12:04 pm
	1543	Brooks Mccorcle	March 1 2011, 11:25 am		1605	Ralph Delavega	March 1 2011, 12:04 pm
	1544	Brooks Mccorcle	March 1 2011, 11:25 am		1606	Ralph Delavega	March 1 2011, 12:04 pm
	1545	Randall Stephenson	March 1 2011, 11:25 am		1607	Ralph Delavega	March 1 2011, 12:04 pm
	1546	Brooks Mccorcle	March 1 2011, 11:25 am		1608 *	John Stankey	March 1 2011, 12:05 pm
	1547	Brooks Mccorcle	March 1 2011, 11:25 am		1609	Randall Stephenson	March 1 2011, 12:05 pm
	1548	Brooks Mccorcle	March 1 2011, 11:25 am		1610	Ralph Delavega	March 1 2011, 12:05 pm
	1549	Randall Stephenson	March 1 2011, 11:25 am		1611 *	John Stankey	March 1 2011, 12:06 pm
	1550	Brooks Mccorcle	March 1 2011, 11:25 am		1612	Randall Stephenson	March 1 2011, 12:06 pm

**Documented ATT Employees email open and internal email communication with other ATT employees about the Claimant**

<b>AT&amp;T</b>				<b>AT&amp;T</b>			
<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>	<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>
	1613	Randall Stephenson	March 1 2011, 12:06 pm		1675	Ralph Delavega	March 1 2011, 1:01 pm
	1614	Randall Stephenson	March 1 2011, 12:06 pm		1676	Ralph Delavega	March 1 2011, 1:01 pm
	1615	Ralph Delavega	March 1 2011, 12:06 pm		1677	Ralph Delavega	March 1 2011, 1:01 pm
	1616	Ralph Delavega	March 1 2011, 12:06 pm		1678	Ralph Delavega	March 1 2011, 1:01 pm
	1617	Ralph Delavega	March 1 2011, 12:06 pm		1679	Ralph Delavega	March 1 2011, 1:01 pm
	1618	Ralph Delavega	March 1 2011, 12:07 pm		1680	Ralph Delavega	March 1 2011, 1:03 pm
	1619	Randall Stephenson	March 1 2011, 12:07 pm		1681	Ralph Delavega	March 1 2011, 1:03 pm
	1620	Ralph Delavega	March 1 2011, 12:07 pm		1682	Ralph Delavega	March 1 2011, 1:03 pm
	1621	Ralph Delavega	March 1 2011, 12:07 pm		1683	Ralph Delavega	March 1 2011, 1:03 pm
	1622 *	John Stankey	March 1 2011, 12:08 pm		1684	Ralph Delavega	March 1 2011, 1:03 pm
	1623	Ralph Delavega	March 1 2011, 12:08 pm		1685	Ralph Delavega	March 1 2011, 1:05 pm
	1624 *	John Stankey	March 1 2011, 12:09 pm		1686 *	John Stankey	March 1 2011, 1:06 pm
	1625	Ralph Delavega	March 1 2011, 12:09 pm		1687 *	John Stankey	March 1 2011, 1:06 pm
	1626	Brooks Mccorcle	March 1 2011, 12:09 pm		1688 *	John Stankey	March 1 2011, 1:06 pm
	1627 *	Wayne Watts	March 1 2011, 12:10 pm		1689	Ralph Delavega	March 1 2011, 1:06 pm
	1628 *	John Stankey	March 1 2011, 12:10 pm		1690	Ralph Delavega	March 1 2011, 1:06 pm
	1629	Ralph Delavega	March 1 2011, 12:10 pm		1691	Randall Stephenson	March 1 2011, 1:07 pm
	1630	Ralph Delavega	March 1 2011, 12:10 pm		1692	Ralph Delavega	March 1 2011, 1:07 pm
	1631	Ralph Delavega	March 1 2011, 12:10 pm		1693	Ralph Delavega	March 1 2011, 1:08 pm
	1632	Ralph Delavega	March 1 2011, 12:10 pm		1694	Ralph Delavega	March 1 2011, 1:10 pm
	1633	Ralph Delavega	March 1 2011, 12:10 pm		1695	Ralph Delavega	March 1 2011, 1:10 pm
	1634 *	John Stankey	March 1 2011, 12:11 pm		1696	Ralph Delavega	March 1 2011, 1:11 pm
	1635	Randall Stephenson	March 1 2011, 12:12 pm		1697	Ralph Delavega	March 1 2011, 1:11 pm
	1636	Ralph Delavega	March 1 2011, 12:12 pm		1698	Rayford Wilkins	March 1 2011, 1:14 pm
	1637	Ralph Delavega	March 1 2011, 12:12 pm		1699	Rayford Wilkins	March 1 2011, 1:14 pm
	1638	Ralph Delavega	March 1 2011, 12:13 pm		1700	Ralph Delavega	March 1 2011, 1:16 pm
	1639	Ralph Delavega	March 1 2011, 12:13 pm		1701	Ralph Delavega	March 1 2011, 1:17 pm
	1640	Randall Stephenson	March 1 2011, 12:14 pm		1702	Rayford Wilkins	March 1 2011, 1:18 pm
	1641	Ralph Delavega	March 1 2011, 12:15 pm		1703	Ralph Delavega	March 1 2011, 1:25 pm
	1642	Ralph Delavega	March 1 2011, 12:15 pm		1704	Ralph Delavega	March 1 2011, 1:25 pm
	1643	Ralph Delavega	March 1 2011, 12:18 pm		1705 *	John Stankey	March 1 2011, 1:26 pm
	1644	Ralph Delavega	March 1 2011, 12:18 pm		1706 *	John Stankey	March 1 2011, 1:29 pm
	1645	Ralph Delavega	March 1 2011, 12:18 pm		1707 *	John Stankey	March 1 2011, 1:33 pm
	1646	Ralph Delavega	March 1 2011, 12:18 pm		1708 *	John Stankey	March 1 2011, 1:33 pm
	1647	Ralph Delavega	March 1 2011, 12:20 pm		1709 *	John Stankey	March 1 2011, 1:33 pm
	1648	Ralph Delavega	March 1 2011, 12:20 pm		1710	Ralph Delavega	March 1 2011, 1:33 pm
	1649	Ralph Delavega	March 1 2011, 12:20 pm		1711	Ralph Delavega	March 1 2011, 1:33 pm
	1650	Ralph Delavega	March 1 2011, 12:22 pm		1712	Ralph Delavega	March 1 2011, 1:33 pm
	1651	Ralph Delavega	March 1 2011, 12:22 pm		1713 *	John Stankey	March 1 2011, 1:34 pm
	1652 *	John Stankey	March 1 2011, 12:26 pm		1714 *	John Stankey	March 1 2011, 1:34 pm
	1653 *	John Stankey	March 1 2011, 12:26 pm		1715	Ralph Delavega	March 1 2011, 1:36 pm
	1654 *	John Stankey	March 1 2011, 12:26 pm		1716	Ralph Delavega	March 1 2011, 1:39 pm
	1655	Brooks Mccorcle	March 1 2011, 12:26 pm		1717 *	John Stankey	March 1 2011, 1:40 pm
	1656	Brooks Mccorcle	March 1 2011, 12:26 pm		1718 *	John Stankey	March 1 2011, 1:40 pm
	1657 *	Wayne Watts	March 1 2011, 12:42 pm		1719 *	John Stankey	March 1 2011, 1:41 pm
	1658	Ralph Delavega	March 1 2011, 12:46 pm		1720 *	John Stankey	March 1 2011, 1:41 pm
	1659 *	Wayne Watts	March 1 2011, 12:47 pm		1721 *	John Stankey	March 1 2011, 1:42 pm
	1660	Ralph Delavega	March 1 2011, 12:50 pm		1722 *	John Stankey	March 1 2011, 1:42 pm
	1661 *	Wayne Watts	March 1 2011, 12:51 pm		1723	Ralph Delavega	March 1 2011, 1:42 pm
	1662	Ralph Delavega	March 1 2011, 12:51 pm		1724	Ralph Delavega	March 1 2011, 1:42 pm
	1663	Ralph Delavega	March 1 2011, 12:51 pm		1725	Ralph Delavega	March 1 2011, 1:42 pm
	1664	Ralph Delavega	March 1 2011, 12:54 pm		1726	Ralph Delavega	March 1 2011, 1:42 pm
	1665	Ralph Delavega	March 1 2011, 12:54 pm		1727	Ralph Delavega	March 1 2011, 1:42 pm
	1666	Ralph Delavega	March 1 2011, 12:55 pm		1728	Ralph Delavega	March 1 2011, 1:42 pm
	1667	Ralph Delavega	March 1 2011, 12:56 pm		1729	Ralph Delavega	March 1 2011, 1:42 pm
	1668	Ralph Delavega	March 1 2011, 12:56 pm		1730	Brooks Mccorcle	March 1 2011, 1:43 pm
	1669	Ralph Delavega	March 1 2011, 12:56 pm		1731	Brooks Mccorcle	March 1 2011, 1:43 pm
	1670	Ralph Delavega	March 1 2011, 12:58 pm		1732	Brooks Mccorcle	March 1 2011, 1:43 pm
	1671	Ralph Delavega	March 1 2011, 12:59 pm		1733	Ralph Delavega	March 1 2011, 1:43 pm
	1672	Ralph Delavega	March 1 2011, 12:59 pm		1734	Ralph Delavega	March 1 2011, 1:43 pm
	1673	Ralph Delavega	March 1 2011, 12:59 pm		1735 *	John Stankey	March 1 2011, 1:45 pm
	1674	Ralph Delavega	March 1 2011, 1:00 pm		1736	Ralph Delavega	March 1 2011, 1:45 pm



**Documented ATT Employees email open and internal email communication with other ATT employees about the Claimant**

AT&T				AT&T			
<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>	<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>
	1737 *	John Stankey	March 1 2011, 1:47 pm		1799 *	John Stankey	March 1 2011, 2:15 pm
	1738	Brooks Mccorcle	March 1 2011, 1:48 pm		1800 *	Ralph Delavega	March 1 2011, 2:16 pm
	1739	Brooks Mccorcle	March 1 2011, 1:48 pm		1801 *	John Stankey	March 1 2011, 2:16 pm
	1740	Brooks Mccorcle	March 1 2011, 1:48 pm		1802 *	John Stankey	March 1 2011, 2:16 pm
	1741	Brooks Mccorcle	March 1 2011, 1:48 pm		1803 *	John Stankey	March 1 2011, 2:17 pm
	1742	Ralph Delavega	March 1 2011, 1:48 pm		1804 *	John Stankey	March 1 2011, 2:17 pm
	1743	Brooks Mccorcle	March 1 2011, 1:49 pm		1805 *	John Stankey	March 1 2011, 2:17 pm
	1744	Brooks Mccorcle	March 1 2011, 1:49 pm		1806 *	John Stankey	March 1 2011, 2:17 pm
	1745	Ralph Delavega	March 1 2011, 1:49 pm		1807 *	John Stankey	March 1 2011, 2:17 pm
	1746	Brooks Mccorcle	March 1 2011, 1:50 pm		1808 *	John Stankey	March 1 2011, 2:17 pm
	1747	Brooks Mccorcle	March 1 2011, 1:50 pm		1809	Ralph Delavega	March 1 2011, 2:17 pm
	1748	Brooks Mccorcle	March 1 2011, 1:50 pm		1810 *	John Stankey	March 1 2011, 2:18 pm
	1749	Brooks Mccorcle	March 1 2011, 1:50 pm		1811 *	John Stankey	March 1 2011, 2:19 pm
	1750	Brooks Mccorcle	March 1 2011, 1:50 pm		1812 *	John Stankey	March 1 2011, 2:19 pm
	1751	Ralph Delavega	March 1 2011, 1:50 pm		1813 *	John Stankey	March 1 2011, 2:20 pm
	1752 *	John Stankey	March 1 2011, 1:51 pm		1814	Ralph Delavega	March 1 2011, 2:20 pm
	1753	Brooks Mccorcle	March 1 2011, 1:51 pm		1815 *	John Stankey	March 1 2011, 2:22 pm
	1754	Ralph Delavega	March 1 2011, 1:51 pm		1816 *	John Stankey	March 1 2011, 2:22 pm
	1755	Brooks Mccorcle	March 1 2011, 1:52 pm		1817 *	John Stankey	March 1 2011, 2:22 pm
	1756 *	John Stankey	March 1 2011, 1:53 pm		1818 *	John Stankey	March 1 2011, 2:28 pm
	1757 *	John Stankey	March 1 2011, 1:53 pm		1819	Randall Stephenson	March 1 2011, 2:31 pm
	1758	Brooks Mccorcle	March 1 2011, 1:55 pm		1820	Randall Stephenson	March 1 2011, 2:32 pm
	1759	Brooks Mccorcle	March 1 2011, 1:56 pm		1821	Randall Stephenson	March 1 2011, 2:32 pm
	1760	Brooks Mccorcle	March 1 2011, 1:56 pm		1822	Randall Stephenson	March 1 2011, 2:32 pm
	1761	Brooks Mccorcle	March 1 2011, 1:56 pm		1823 *	John Stankey	March 1 2011, 2:35 pm
	1762	Brooks Mccorcle	March 1 2011, 1:56 pm		1824 *	John Stankey	March 1 2011, 2:35 pm
	1763	Brooks Mccorcle	March 1 2011, 1:57 pm		1825 *	John Stankey	March 1 2011, 2:35 pm
	1764	Brooks Mccorcle	March 1 2011, 1:57 pm		1826	Randall Stephenson	March 1 2011, 2:35 pm
	1765	Brooks Mccorcle	March 1 2011, 1:57 pm		1827	Randall Stephenson	March 1 2011, 2:36 pm
	1766	Brooks Mccorcle	March 1 2011, 1:57 pm		1828 *	John Stankey	March 1 2011, 2:37 pm
	1767	Brooks Mccorcle	March 1 2011, 1:57 pm		1829 *	John Stankey	March 1 2011, 2:37 pm
	1768	Brooks Mccorcle	March 1 2011, 1:57 pm		1830	Randall Stephenson	March 1 2011, 2:37 pm
	1769	Brooks Mccorcle	March 1 2011, 1:57 pm		1831 *	John Stankey	March 1 2011, 2:38 pm
	1770	Brooks Mccorcle	March 1 2011, 1:57 pm		1832 *	John Stankey	March 1 2011, 2:38 pm
	1771	Brooks Mccorcle	March 1 2011, 1:57 pm		1833 *	John Stankey	March 1 2011, 2:42 pm
	1772	Ralph Delavega	March 1 2011, 1:57 pm		1834 *	John Stankey	March 1 2011, 2:42 pm
	1773 *	John Stankey	March 1 2011, 1:59 pm		1835 *	John Stankey	March 1 2011, 2:42 pm
	1774 *	John Stankey	March 1 2011, 1:59 pm		1836	Ralph Delavega	March 1 2011, 2:44 pm
	1775	Brooks Mccorcle	March 1 2011, 1:59 pm		1837 *	John Stankey	March 1 2011, 2:45 pm
	1776 *	John Stankey	March 1 2011, 2:02 pm		1838 *	John Stankey	March 1 2011, 2:46 pm
	1777 *	John Stankey	March 1 2011, 2:02 pm		1839 *	John Stankey	March 1 2011, 2:48 pm
	1778	Brooks Mccorcle	March 1 2011, 2:02 pm		1840 *	John Stankey	March 1 2011, 2:49 pm
	1779	Brooks Mccorcle	March 1 2011, 2:03 pm		1841 *	John Stankey	March 1 2011, 2:50 pm
	1780	Brooks Mccorcle	March 1 2011, 2:03 pm		1842 *	John Stankey	March 1 2011, 2:50 pm
	1781	Brooks Mccorcle	March 1 2011, 2:03 pm		1843 *	John Stankey	March 1 2011, 2:50 pm
	1782	Brooks Mccorcle	March 1 2011, 2:03 pm		1844 *	John Stankey	March 1 2011, 2:50 pm
	1783	Brooks Mccorcle	March 1 2011, 2:03 pm		1845 *	John Stankey	March 1 2011, 2:51 pm
	1784	Brooks Mccorcle	March 1 2011, 2:03 pm		1846 *	John Stankey	March 1 2011, 2:51 pm
	1785	Brooks Mccorcle	March 1 2011, 2:04 pm		1847 *	John Stankey	March 1 2011, 2:51 pm
	1786	Brooks Mccorcle	March 1 2011, 2:04 pm		1848 *	John Stankey	March 1 2011, 2:51 pm
	1787	Brooks Mccorcle	March 1 2011, 2:06 pm		1849 *	John Stankey	March 1 2011, 2:51 pm
	1788	Brooks Mccorcle	March 1 2011, 2:07 pm		1850 *	John Stankey	March 1 2011, 2:51 pm
	1789 *	John Stankey	March 1 2011, 2:08 pm		1851 *	John Stankey	March 1 2011, 2:52 pm
	1790 *	John Stankey	March 1 2011, 2:08 pm		1852 *	John Stankey	March 1 2011, 2:52 pm
	1791	Brooks Mccorcle	March 1 2011, 2:09 pm		1853 *	John Stankey	March 1 2011, 2:52 pm
	1792	Brooks Mccorcle	March 1 2011, 2:09 pm		1854 *	John Stankey	March 1 2011, 2:52 pm
	1793	Rayford Wilkins	March 1 2011, 2:10 pm		1855 *	John Stankey	March 1 2011, 2:54 pm
	1794	Ralph Delavega	March 1 2011, 2:10 pm		1856	Brooks Mccorcle	March 1 2011, 2:54 pm
	1795	Rayford Wilkins	March 1 2011, 2:11 pm		1857 *	John Stankey	March 1 2011, 2:55 pm
	1796 *	John Stankey	March 1 2011, 2:12 pm		1858 *	John Stankey	March 1 2011, 2:55 pm
	1797 *	John Stankey	March 1 2011, 2:12 pm		1859 *	John Stankey	March 1 2011, 2:56 pm
	1798 *	Ralph Delavega	March 1 2011, 2:13 pm		1860 *	John Stankey	March 1 2011, 2:58 pm

**Documented ATT Employees email open and internal email communication with other ATT employees about the Claimant**

AT&T				AT&T			
<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>	<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>
	1861 *	John Stankey	March 1 2011, 2:59 pm		1923 *	John Stankey	March 1 2011, 3:12 pm
	1862 *	John Stankey	March 1 2011, 2:59 pm		1924 *	John Stankey	March 1 2011, 3:12 pm
	1863 *	John Stankey	March 1 2011, 2:59 pm		1925 *	John Stankey	March 1 2011, 3:12 pm
	1864 *	John Stankey	March 1 2011, 2:59 pm		1926 *	John Stankey	March 1 2011, 3:13 pm
	1865 *	John Stankey	March 1 2011, 2:59 pm		1927 *	John Stankey	March 1 2011, 3:13 pm
	1866 *	John Stankey	March 1 2011, 2:59 pm		1928	Ralph Delavega	March 1 2011, 3:14 pm
	1867 *	John Stankey	March 1 2011, 2:59 pm		1929	Ralph Delavega	March 1 2011, 3:14 pm
	1868 *	John Stankey	March 1 2011, 2:59 pm		1930 *	John Stankey	March 1 2011, 3:17 pm
	1869 *	John Stankey	March 1 2011, 3:00 pm		1931	Ralph Delavega	March 1 2011, 3:17 pm
	1870 *	John Stankey	March 1 2011, 3:00 pm		1932 *	John Stankey	March 1 2011, 3:23 pm
	1871 *	John Stankey	March 1 2011, 3:00 pm		1933 *	John Stankey	March 1 2011, 3:23 pm
	1872 *	John Stankey	March 1 2011, 3:00 pm		1934 *	John Stankey	March 1 2011, 3:25 pm
	1873 *	John Stankey	March 1 2011, 3:00 pm		1935 *	John Stankey	March 1 2011, 3:27 pm
	1874 *	John Stankey	March 1 2011, 3:00 pm		1936 *	John Stankey	March 1 2011, 3:27 pm
	1875 *	John Stankey	March 1 2011, 3:00 pm		1937 *	John Stankey	March 1 2011, 3:27 pm
	1876	Ralph Delavega	March 1 2011, 3:00 pm		1938 *	John Stankey	March 1 2011, 3:27 pm
	1877 *	John Stankey	March 1 2011, 3:01 pm		1939 *	John Stankey	March 1 2011, 3:28 pm
	1878 *	John Stankey	March 1 2011, 3:01 pm		1940 *	John Stankey	March 1 2011, 3:29 pm
	1879 *	John Stankey	March 1 2011, 3:01 pm		1941 *	John Stankey	March 1 2011, 3:29 pm
	1880 *	John Stankey	March 1 2011, 3:01 pm		1942 *	John Stankey	March 1 2011, 3:29 pm
	1881 *	John Stankey	March 1 2011, 3:01 pm		1943 *	John Stankey	March 1 2011, 3:29 pm
	1882 *	John Stankey	March 1 2011, 3:01 pm		1944 *	John Stankey	March 1 2011, 3:29 pm
	1883 *	John Stankey	March 1 2011, 3:01 pm		1945 *	John Stankey	March 1 2011, 3:29 pm
	1884 *	John Stankey	March 1 2011, 3:02 pm		1946 *	John Stankey	March 1 2011, 3:30 pm
	1885 *	John Stankey	March 1 2011, 3:02 pm		1947 *	John Stankey	March 1 2011, 3:30 pm
	1886 *	John Stankey	March 1 2011, 3:02 pm		1948 *	John Stankey	March 1 2011, 3:30 pm
	1887 *	John Stankey	March 1 2011, 3:02 pm		1949 *	John Stankey	March 1 2011, 3:30 pm
	1888 *	John Stankey	March 1 2011, 3:02 pm		1950 *	John Stankey	March 1 2011, 3:30 pm
	1889 *	John Stankey	March 1 2011, 3:02 pm		1951 *	John Stankey	March 1 2011, 3:33 pm
	1890 *	John Stankey	March 1 2011, 3:02 pm		1952 *	John Stankey	March 1 2011, 3:36 pm
	1891 *	John Stankey	March 1 2011, 3:02 pm		1953 *	John Stankey	March 1 2011, 3:36 pm
	1892 *	John Stankey	March 1 2011, 3:02 pm		1954 *	John Stankey	March 1 2011, 3:36 pm
	1893 *	John Stankey	March 1 2011, 3:02 pm		1955 *	Wayne Watts	March 1 2011, 3:40 pm
	1894 *	John Stankey	March 1 2011, 3:02 pm		1956 *	John Stankey	March 1 2011, 3:41 pm
	1895 *	John Stankey	March 1 2011, 3:03 pm		1957 *	John Stankey	March 1 2011, 3:45 pm
	1896 *	John Stankey	March 1 2011, 3:03 pm		1958 *	John Stankey	March 1 2011, 3:50 pm
	1897 *	John Stankey	March 1 2011, 3:03 pm		1959 *	John Stankey	March 1 2011, 3:52 pm
	1898 *	John Stankey	March 1 2011, 3:03 pm		1960 *	John Stankey	March 1 2011, 3:52 pm
	1899 *	John Stankey	March 1 2011, 3:03 pm		1961 *	John Stankey	March 1 2011, 3:54 pm
	1900 *	John Stankey	March 1 2011, 3:03 pm		1962 *	John Stankey	March 1 2011, 3:54 pm
	1901 *	John Stankey	March 1 2011, 3:03 pm		1963 *	John Stankey	March 1 2011, 3:55 pm
	1902 *	John Stankey	March 1 2011, 3:04 pm		1964 *	Wayne Watts	March 1 2011, 3:57 pm
	1903 *	John Stankey	March 1 2011, 3:04 pm		1965 *	John Stankey	March 1 2011, 3:59 pm
	1904 *	John Stankey	March 1 2011, 3:04 pm		1966 *	John Stankey	March 1 2011, 3:59 pm
	1905 *	John Stankey	March 1 2011, 3:04 pm		1967 *	Wayne Watts	March 1 2011, 4:07 pm
	1906 *	John Stankey	March 1 2011, 3:04 pm		1968 *	John Stankey	March 1 2011, 4:09 pm
	1907 *	John Stankey	March 1 2011, 3:04 pm		1969 *	John Stankey	March 1 2011, 4:10 pm
	1908 *	John Stankey	March 1 2011, 3:04 pm		1970	Ralph Delavega	March 1 2011, 4:11 pm
	1909 *	John Stankey	March 1 2011, 3:04 pm		1971 *	John Stankey	March 1 2011, 4:17 pm
	1910 *	John Stankey	March 1 2011, 3:04 pm		1972	Ralph Delavega	March 1 2011, 4:22 pm
	1911	Ralph Delavega	March 1 2011, 3:04 pm		1973 *	Wayne Watts	March 1 2011, 4:26 pm
	1912 *	John Stankey	March 1 2011, 3:05 pm		1974	Ralph Delavega	March 1 2011, 4:26 pm
	1913 *	John Stankey	March 1 2011, 3:05 pm		1975 *	Wayne Watts	March 1 2011, 4:27 pm
	1914 *	John Stankey	March 1 2011, 3:07 pm		1976	Wayne Watts	March 1 2011, 4:27 pm
	1915 *	John Stankey	March 1 2011, 3:07 pm		1977 *	John Stankey	March 1 2011, 4:30 pm
	1916 *	John Stankey	March 1 2011, 3:07 pm		1978	Ralph Delavega	March 1 2011, 4:54 pm
	1917 *	John Stankey	March 1 2011, 3:07 pm		1979	Randall Stephenson	March 1 2011, 4:57 pm
	1918 *	John Stankey	March 1 2011, 3:09 pm		1980 *	Rayford Wilkins	March 1 2011, 4:59 pm
	1919 *	John Stankey	March 1 2011, 3:10 pm		1981 *	Rayford Wilkins	March 1 2011, 4:59 pm
	1920 *	John Stankey	March 1 2011, 3:10 pm		1982 *	Wayne Watts	March 1 2011, 5:00 pm
	1921 *	John Stankey	March 1 2011, 3:10 pm		1983 *	Wayne Watts	March 1 2011, 5:00 pm
	1922 *	John Stankey	March 1 2011, 3:10 pm		1984 *	Ralph Delavega	March 1 2011, 5:00 pm

**Documented ATT Employees email open and internal email communication with other ATT employees about the Claimant**

AT&T				AT&T			
<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>	<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>
	1985 *	John Stankey	March 1 2011, 5:00 pm		2047 *	John Stankey	March 2 2011, 8:16 am
	1986 *	John Stankey	March 1 2011, 5:00 pm		2048	Brooks Mccorcle	March 2 2011, 8:16 am
	1987	Randall Stephenson	March 1 2011, 5:00 pm		2049	Brooks Mccorcle	March 2 2011, 8:16 am
	1988 *	Rayford Wilkins	March 1 2011, 5:02 pm		2050	Ralph Delavega	March 2 2011, 8:16 am
	1989 *	John Stankey	March 1 2011, 5:03 pm		2051 *	John Stankey	March 2 2011, 8:17 am
	1990 *	Wayne Watts	March 1 2011, 5:03 pm		2052 *	John Stankey	March 2 2011, 8:17 am
	1991 *	John Stankey	March 1 2011, 5:07 pm		2053 *	John Stankey	March 2 2011, 8:17 am
	1992	Ralph Delavega	March 1 2011, 5:18 pm		2054 *	John Stankey	March 2 2011, 8:17 am
	1993	Ralph Delavega	March 1 2011, 5:23 pm		2055 *	John Stankey	March 2 2011, 8:17 am
	1994	Ralph Delavega	March 1 2011, 5:28 pm		2056 *	John Stankey	March 2 2011, 8:17 am
	1995 *	John Stankey	March 1 2011, 5:30 pm		2057 *	John Stankey	March 2 2011, 8:17 am
	1996 *	John Stankey	March 1 2011, 5:35 pm		2058 *	John Stankey	March 2 2011, 8:17 am
	1997 *	John Stankey	March 1 2011, 5:36 pm		2059 *	John Stankey	March 2 2011, 8:18 am
	1998 *	John Stankey	March 1 2011, 5:43 pm		2060 *	John Stankey	March 2 2011, 8:18 am
	1999	William Blase	March 1 2011, 5:45 pm		2061 *	John Stankey	March 2 2011, 8:19 am
	2000 *	John Stankey	March 1 2011, 6:18 pm		2062 *	John Stankey	March 2 2011, 8:19 am
	2001 *	John Stankey	March 1 2011, 6:27 pm		2063 *	John Stankey	March 2 2011, 8:22 am
	2002 *	John Stankey	March 1 2011, 7:27 pm		2064 *	John Stankey	March 2 2011, 8:23 am
	2003 *	John Stankey	March 1 2011, 7:28 pm		2065 *	John Stankey	March 2 2011, 8:23 am
	2004 *	John Stankey	March 1 2011, 7:28 pm		2066 *	John Stankey	March 2 2011, 8:23 am
	2005 *	John Stankey	March 1 2011, 7:28 pm		2067 *	John Stankey	March 2 2011, 8:23 am
	2006 *	John Stankey	March 1 2011, 7:28 pm		2068 *	John Stankey	March 2 2011, 8:23 am
	2007 *	John Stankey	March 1 2011, 7:28 pm		2069	Brooks Mccorcle	March 2 2011, 8:23 am
	2008 *	John Stankey	March 1 2011, 7:28 pm		2070 *	John Stankey	March 2 2011, 8:24 am
	2009 *	John Stankey	March 1 2011, 7:30 pm		2071 *	John Stankey	March 2 2011, 8:24 am
	2010 *	John Stankey	March 1 2011, 7:37 pm		2072 *	John Stankey	March 2 2011, 8:24 am
	2011 *	John Stankey	March 1 2011, 7:37 pm		2073 *	John Stankey	March 2 2011, 8:24 am
	2012 *	John Stankey	March 1 2011, 7:37 pm		2074 *	John Stankey	March 2 2011, 8:24 am
	2013 *	John Stankey	March 1 2011, 7:41 pm		2075 *	John Stankey	March 2 2011, 8:25 am
	2014 *	John Stankey	March 1 2011, 7:42 pm		2076 *	John Stankey	March 2 2011, 8:26 am
	2015 *	John Stankey	March 1 2011, 7:58 pm		2077 *	John Stankey	March 2 2011, 8:28 am
	2016 *	Ralph Delavega	March 1 2011, 8:48 pm		2078 *	John Stankey	March 2 2011, 8:28 am
	2017 *	Ralph Delavega	March 1 2011, 8:51 pm		2079 *	John Stankey	March 2 2011, 8:28 am
	2018 *	John Stankey	March 1 2011, 9:36 pm		2080 *	John Stankey	March 2 2011, 8:28 am
	2019 *	John Stankey	March 1 2011, 11:32 pm		2081 *	John Stankey	March 2 2011, 8:28 am
	2020	Ralph Delavega	March 2 2011, 6:28 am		2082 *	John Stankey	March 2 2011, 8:32 am
	2021 *	John Stankey	March 2 2011, 6:52 am		2083 *	John Stankey	March 2 2011, 8:34 am
	2022 *	John Stankey	March 2 2011, 7:00 am		2084 *	John Stankey	March 2 2011, 8:54 am
	2023 *	John Stankey	March 2 2011, 7:00 am		2085 *	John Stankey	March 2 2011, 9:02 am
	2024 *	John Stankey	March 2 2011, 7:05 am		2086 *	John Stankey	March 2 2011, 9:02 am
	2025	Ralph Delavega	March 2 2011, 7:11 am		2087	Randall Stephenson	March 2 2011, 9:07 am
	2026 *	John Stankey	March 2 2011, 7:39 am		2088	Randall Stephenson	March 2 2011, 9:08 am
	2027 *	Ralph Delavega	March 2 2011, 8:13 am		2089	Randall Stephenson	March 2 2011, 9:10 am
	2028 *	Ralph Delavega	March 2 2011, 8:13 am		2090	Randall Stephenson	March 2 2011, 9:11 am
	2029 *	Ralph Delavega	March 2 2011, 8:14 am		2091	Randall Stephenson	March 2 2011, 9:12 am
	2030 *	Ralph Delavega	March 2 2011, 8:14 am		2092	Randall Stephenson	March 2 2011, 9:12 am
	2031 *	John Stankey	March 2 2011, 8:14 am		2093	Randall Stephenson	March 2 2011, 9:13 am
	2032 *	John Stankey	March 2 2011, 8:14 am		2094	Randall Stephenson	March 2 2011, 9:15 am
	2033 *	John Stankey	March 2 2011, 8:14 am		2095 *	John Stankey	March 2 2011, 9:18 am
	2034 *	John Stankey	March 2 2011, 8:14 am		2096 *	John Stankey	March 2 2011, 9:19 am
	2035 *	John Stankey	March 2 2011, 8:14 am		2097 *	John Stankey	March 2 2011, 9:22 am
	2036	Ralph Delavega	March 2 2011, 8:14 am		2098	Randall Stephenson	March 2 2011, 9:35 am
	2037	Ralph Delavega	March 2 2011, 8:14 am		2099	Randall Stephenson	March 2 2011, 9:36 am
	2038	Brooks Mccorcle	March 2 2011, 8:14 am		2100	Randall Stephenson	March 2 2011, 9:47 am
	2039 *	John Stankey	March 2 2011, 8:15 am		2101 *	John Stankey	March 2 2011, 9:53 am
	2040 *	John Stankey	March 2 2011, 8:15 am		2102 *	John Stankey	March 2 2011, 9:53 am
	2041	Brooks Mccorcle	March 2 2011, 8:15 am		2103	Brooks Mccorcle	March 2 2011, 9:57 am
	2042	Ralph Delavega	March 2 2011, 8:15 am		2104 *	John Stankey	March 2 2011, 9:58 am
	2043 *	John Stankey	March 2 2011, 8:16 am		2105 *	John Stankey	March 2 2011, 10:10 am
	2044 *	John Stankey	March 2 2011, 8:16 am		2106 *	John Stankey	March 2 2011, 10:10 am
	2045 *	John Stankey	March 2 2011, 8:16 am		2107 *	John Stankey	March 2 2011, 10:18 am
	2046 *	John Stankey	March 2 2011, 8:16 am		2108	Brooks Mccorcle	March 2 2011, 10:26 am

**Documented ATT Employees email open and internal email communication with other ATT employees about the Claimant**

<b>AT&amp;T</b>			
<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>
	2109	Ralph Dela.Vega	March 2 2011, 11:56 am
	2110 *	John Stankey	March 2 2011, 12:00 pm
	2111	Wayne Watts	March 2 2011, 1:07 pm
	2112	Wayne Watts	March 2 2011, 1:07 pm
	2113	Ralph Delavega	March 2 2011, 1:07 pm
	2114	Wayne Watts	March 2 2011, 1:10 pm
	2115	Randall Stephenson	March 2 2011, 1:11 pm
	2116	Randall Stephenson	March 2 2011, 1:11 pm
	2117	Randall Stephenson	March 2 2011, 1:11 pm
	2118	Christopher Womack	March 2 2011, 1:12 pm
	2119	Brooks Mccorcle	March 2 2011, 1:13 pm
	2120	Jeff Fancher	March 2 2011, 1:14 pm
	2121	Brooks Mccorcle	March 2 2011, 1:14 pm
	2122 *	Wayne Watts	March 2 2011, 1:15 pm
	2123 *	Wayne Watts	March 2 2011, 1:22 pm
	2124	Derek Roy	March 2 2011, 1:24 pm
	2125	Randall Stephenson	March 2 2011, 1:24 pm
	2126	Randall Stephenson	March 2 2011, 1:24 pm
	2127	Randall Stephenson	March 2 2011, 1:26 pm
	2128	Derek Roy	March 2 2011, 1:26 pm
	2129	Randall Stephenson	March 2 2011, 1:27 pm
	2130	Randall Stephenson	March 2 2011, 1:27 pm
	2131	Randall Stephenson	March 2 2011, 1:27 pm
	2132	Randall Stephenson	March 2 2011, 1:27 pm
	2133 *	John Stankey	March 2 2011, 1:28 pm
	2134 *	John Stankey	March 2 2011, 1:28 pm
	2135 *	John Stankey	March 2 2011, 1:29 pm
	2136 *	John Stankey	March 2 2011, 1:29 pm
	2137 *	John Stankey	March 2 2011, 1:29 pm
	2138	Randall Stephenson	March 2 2011, 1:30 pm
	2139	Derek Roy	March 2 2011, 1:30 pm
	2140	John Stankey	March 2 2011, 1:31 pm
	2141	Randall Stephenson	March 2 2011, 1:35 pm
	2142	Randall Stephenson	March 2 2011, 1:35 pm
	2143 *	John Stankey	March 2 2011, 1:36 pm
	2144	Randall Stephenson	March 2 2011, 1:37 pm
	2145	Randall Stephenson	March 2 2011, 1:42 pm
	2146 *	John Stankey	March 2 2011, 1:44 pm
	2147	Randall Stephenson	March 2 2011, 1:46 pm
	2148 *	John Stankey	March 2 2011, 1:49 pm
	2149 *	John Stankey	March 2 2011, 1:49 pm
	2150 *	John Stankey	March 2 2011, 1:51 pm
	2151	Randall Stephenson	March 2 2011, 1:51 pm
	2152	Randall Stephenson	March 2 2011, 1:51 pm
	2153 *	John Stankey	March 2 2011, 1:54 pm
	2154 *	John Stankey	March 2 2011, 1:54 pm
	2155 *	John Stankey	March 2 2011, 1:56 pm
	2156	Ralph Delavega	March 2 2011, 1:56 pm
	2157	Ralph Delavega	March 2 2011, 1:56 pm
	2158 *	John Stankey	March 2 2011, 1:57 pm
	2159 *	John Stankey	March 2 2011, 1:57 pm
	2160 *	John Stankey	March 2 2011, 1:58 pm
	2161	Randall Stephenson	March 2 2011, 1:58 pm
	2162	Randall Stephenson	March 2 2011, 1:58 pm
	2163	Randall Stephenson	March 2 2011, 1:58 pm
	2164	Randall Stephenson	March 2 2011, 1:58 pm
	2165	Ralph Delavega	March 2 2011, 2:00 pm
	2166	Randall Stephenson	March 2 2011, 2:01 pm
	2167	Randall Stephenson	March 2 2011, 2:01 pm
	2168	Randall Stephenson	March 2 2011, 2:01 pm
	2169	Randall Stephenson	March 2 2011, 2:01 pm
	2170 *	John Stankey	March 2 2011, 2:02 pm

<b>AT&amp;T</b>			
<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>
	2171	Randall Stephenson	March 2 2011, 2:02 pm
	2172	Randall Stephenson	March 2 2011, 2:02 pm
	2173	Randall Stephenson	March 2 2011, 2:02 pm
	2174	Randall Stephenson	March 2 2011, 2:03 pm
	2175	Randall Stephenson	March 2 2011, 2:03 pm
	2176	Randall Stephenson	March 2 2011, 2:03 pm
	2177	Randall Stephenson	March 2 2011, 2:03 pm
	2178	Randall Stephenson	March 2 2011, 2:03 pm
	2179	Randall Stephenson	March 2 2011, 2:03 pm
	2180	Randall Stephenson	March 2 2011, 2:03 pm
	2181	Randall Stephenson	March 2 2011, 2:03 pm
	2182	Randall Stephenson	March 2 2011, 2:03 pm
	2183 *	John Stankey	March 2 2011, 2:04 pm
	2184 *	John Stankey	March 2 2011, 2:04 pm
	2185 *	John Stankey	March 2 2011, 2:04 pm
	2186	Rayford Wilkins	March 2 2011, 2:04 pm
	2187	Randall Stephenson	March 2 2011, 2:04 pm
	2188	Randall Stephenson	March 2 2011, 2:04 pm
	2189	Rayford Wilkins	March 2 2011, 2:04 pm
	2190	Randall Stephenson	March 2 2011, 2:04 pm
	2191	Ralph Delavega	March 2 2011, 2:05 pm
	2192	Ralph Delavega	March 2 2011, 2:05 pm
	2193	Randall Stephenson	March 2 2011, 2:06 pm
	2194	Randall Stephenson	March 2 2011, 2:06 pm
	2195	Rayford Wilkins	March 2 2011, 2:06 pm
	2196	Rayford Wilkins	March 2 2011, 2:06 pm
	2197	Randall Stephenson	March 2 2011, 2:06 pm
	2198	Randall Stephenson	March 2 2011, 2:06 pm
	2199	Randall Stephenson	March 2 2011, 2:07 pm
	2200	Ralph Delavega	March 2 2011, 2:07 pm
	2201	Randall Stephenson	March 2 2011, 2:07 pm
	2202	Ralph Delavega	March 2 2011, 2:08 pm
	2203	Ralph Delavega	March 2 2011, 2:08 pm
	2204	Randall Stephenson	March 2 2011, 2:08 pm
	2205	Randall Stephenson	March 2 2011, 2:08 pm
	2206	Randall Stephenson	March 2 2011, 2:08 pm
	2207	Randall Stephenson	March 2 2011, 2:09 pm
	2208	Randall Stephenson	March 2 2011, 2:09 pm
	2209	Ralph Delavega	March 2 2011, 2:09 pm
	2210	Ralph Delavega	March 2 2011, 2:09 pm
	2211	Ralph Delavega	March 2 2011, 2:09 pm
	2212	Ralph Delavega	March 2 2011, 2:09 pm
	2213	Ralph Delavega	March 2 2011, 2:09 pm
	2214	Randall Stephenson	March 2 2011, 2:09 pm
	2215	Randall Stephenson	March 2 2011, 2:09 pm
	2216	Randall Stephenson	March 2 2011, 2:09 pm
	2217	Ralph Delavega	March 2 2011, 2:10 pm
	2218	Randall Stephenson	March 2 2011, 2:10 pm
	2219	Rayford Wilkins	March 2 2011, 2:12 pm
	2220	Ralph Delavega	March 2 2011, 2:12 pm
	2221	Ralph Delavega	March 2 2011, 2:13 pm
	2222	Ralph Delavega	March 2 2011, 2:13 pm
	2223	Ralph Delavega	March 2 2011, 2:13 pm
	2224	Ralph Delavega	March 2 2011, 2:13 pm
	2225	Ralph Delavega	March 2 2011, 2:14 pm
	2226	Ralph Delavega	March 2 2011, 2:14 pm
	2227	Ralph Delavega	March 2 2011, 2:14 pm
	2228	Randall Stephenson	March 2 2011, 2:14 pm
	2229	Ralph Delavega	March 2 2011, 2:14 pm
	2230	Ralph Delavega	March 2 2011, 2:14 pm
	2231	Ralph Delavega	March 2 2011, 2:14 pm
	2232	Ralph Delavega	March 2 2011, 2:14 pm

**Documented ATT Employees email open and internal email communication with other ATT employees about the Claimant**

<b>AT&amp;T</b>			
<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>
	2233	Ralph Delavega	March 2 2011, 2:14 pm
	2234	Randall Stephenson	March 2 2011, 2:14 pm
	2235	Ralph Delavega	March 2 2011, 2:14 pm
	2236	Randall Stephenson	March 2 2011, 2:14 pm
	2237	Ralph Delavega	March 2 2011, 2:15 pm
	2238	Ralph Delavega	March 2 2011, 2:15 pm
	2239	Ralph Delavega	March 2 2011, 2:15 pm
	2240	Ralph Delavega	March 2 2011, 2:15 pm
	2241	Ralph Delavega	March 2 2011, 2:15 pm
	2242	Ralph Delavega	March 2 2011, 2:15 pm
	2243	Ralph Delavega	March 2 2011, 2:15 pm
	2244	Ralph Delavega	March 2 2011, 2:15 pm
	2245	Ralph Delavega	March 2 2011, 2:15 pm
	2246	Ralph Delavega	March 2 2011, 2:15 pm
	2247	Ralph Delavega	March 2 2011, 2:15 pm
	2248	Randall Stephenson	March 2 2011, 2:15 pm
	2249 *	John Stankey	March 2 2011, 2:16 pm
	2250 *	John Stankey	March 2 2011, 2:16 pm
	2251	Ralph Delavega	March 2 2011, 2:16 pm
	2252	Ralph Delavega	March 2 2011, 2:16 pm
	2253	Ralph Delavega	March 2 2011, 2:16 pm
	2254	Randall Stephenson	March 2 2011, 2:16 pm
	2255	Ralph Delavega	March 2 2011, 2:16 pm
	2256	Randall Stephenson	March 2 2011, 2:16 pm
	2257	Randall Stephenson	March 2 2011, 2:16 pm
	2258	Randall Stephenson	March 2 2011, 2:16 pm
	2259 *	John Stankey	March 2 2011, 2:17 pm
	2260	Ralph Delavega	March 2 2011, 2:17 pm
	2261	Ralph Delavega	March 2 2011, 2:17 pm
	2262	Ralph Delavega	March 2 2011, 2:17 pm
	2263	Randall Stephenson	March 2 2011, 2:17 pm
	2264	Ralph Delavega	March 2 2011, 2:18 pm
	2265	Randall Stephenson	March 2 2011, 2:20 pm
	2266	Ralph Delavega	March 2 2011, 2:20 pm
	2267	Ralph Delavega	March 2 2011, 2:20 pm
	2268 *	John Stankey	March 2 2011, 2:22 pm
	2269 *	John Stankey	March 2 2011, 2:22 pm
	2270	Ralph Delavega	March 2 2011, 2:22 pm
	2271	Ralph Delavega	March 2 2011, 2:22 pm
	2272	Randall Stephenson	March 2 2011, 2:22 pm
	2273	Ralph Delavega	March 2 2011, 2:23 pm
	2274	Ralph Delavega	March 2 2011, 2:23 pm
	2275 *	John Stankey	March 2 2011, 2:25 pm
	2276 *	John Stankey	March 2 2011, 2:25 pm
	2277 *	John Stankey	March 2 2011, 2:25 pm
	2278 *	John Stankey	March 2 2011, 2:25 pm
	2279 *	John Stankey	March 2 2011, 2:28 pm
	2280 *	John Stankey	March 2 2011, 2:28 pm
	2281 *	John Stankey	March 2 2011, 2:28 pm
	2282	Ralph Delavega	March 2 2011, 2:28 pm
	2283 *	John Stankey	March 2 2011, 2:29 pm
	2284 *	John Stankey	March 2 2011, 2:29 pm
	2285 *	John Stankey	March 2 2011, 2:29 pm
	2286	Randall Stephenson	March 2 2011, 2:29 pm
	2287 *	John Stankey	March 2 2011, 2:30 pm
	2288	Randall Stephenson	March 2 2011, 2:30 pm
	2289	Randall Stephenson	March 2 2011, 2:30 pm
	2290 *	Wayne Watts	March 2 2011, 2:31 pm
	2291	Randall Stephenson	March 2 2011, 2:31 pm
	2292	Ralph Delavega	March 2 2011, 2:31 pm
	2293	Ralph Delavega	March 2 2011, 2:31 pm
	2294	Ralph Delavega	March 2 2011, 2:31 pm

<b>AT&amp;T</b>			
<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>
	2295	Ralph Delavega	March 2 2011, 2:32 pm
	2296	Randall Stephenson	March 2 2011, 2:32 pm
	2297 *	John Stankey	March 2 2011, 2:33 pm
	2298 *	John Stankey	March 2 2011, 2:33 pm
	2299 *	John Stankey	March 2 2011, 2:33 pm
	2300 *	John Stankey	March 2 2011, 2:33 pm
	2301 *	John Stankey	March 2 2011, 2:34 pm
	2302 *	John Stankey	March 2 2011, 2:34 pm
	2303 *	John Stankey	March 2 2011, 2:34 pm
	2304 *	John Stankey	March 2 2011, 2:34 pm
	2305 *	John Stankey	March 2 2011, 2:34 pm
	2306 *	John Stankey	March 2 2011, 2:34 pm
	2307 *	John Stankey	March 2 2011, 2:34 pm
	2308	Ralph Delavega	March 2 2011, 2:34 pm
	2309	Randall Stephenson	March 2 2011, 2:34 pm
	2310 *	John Stankey	March 2 2011, 2:35 pm
	2311 *	John Stankey	March 2 2011, 2:38 pm
	2312	Randall Stephenson	March 2 2011, 2:38 pm
	2313	Randall Stephenson	March 2 2011, 2:38 pm
	2314	Wayne Watts	March 2 2011, 2:40 pm
	2315	Wayne Watts	March 2 2011, 2:41 pm
	2316 *	John Stankey	March 2 2011, 2:42 pm
	2317	Randall Stephenson	March 2 2011, 2:42 pm
	2318	Randall Stephenson	March 2 2011, 2:42 pm
	2319	Randall Stephenson	March 2 2011, 2:42 pm
	2320	Randall Stephenson	March 2 2011, 2:42 pm
	2321 *	John Stankey	March 2 2011, 2:43 pm
	2322 *	John Stankey	March 2 2011, 2:43 pm
	2323 *	John Stankey	March 2 2011, 2:46 pm
	2324	Randall Stephenson	March 2 2011, 2:49 pm
	2325	Randall Stephenson	March 2 2011, 2:50 pm
	2326 *	John Stankey	March 2 2011, 2:51 pm
	2327 *	John Stankey	March 2 2011, 2:51 pm
	2328 *	John Stankey	March 2 2011, 2:52 pm
	2329 *	John Stankey	March 2 2011, 2:54 pm
	2330	Randall Stephenson	March 2 2011, 2:54 pm
	2331	Randall Stephenson	March 2 2011, 2:56 pm
	2332	Randall Stephenson	March 2 2011, 2:58 pm
	2333	Randall Stephenson	March 2 2011, 2:59 pm
	2334 *	John Stankey	March 2 2011, 3:00 pm
	2335	Randall Stephenson	March 2 2011, 3:00 pm
	2336 *	John Stankey	March 2 2011, 3:02 pm
	2337	Randall Stephenson	March 2 2011, 3:02 pm
	2338 *	John Stankey	March 2 2011, 3:06 pm
	2339	Randall Stephenson	March 2 2011, 3:08 pm
	2340	Randall Stephenson	March 2 2011, 3:08 pm
	2341	Randall Stephenson	March 2 2011, 3:10 pm
	2342	Randall Stephenson	March 2 2011, 3:11 pm
	2343 *	John Stankey	March 2 2011, 3:17 pm
	2344 *	John Stankey	March 2 2011, 3:22 pm
	2345	Randall Stephenson	March 2 2011, 3:28 pm
	2346 *	John Stankey	March 2 2011, 3:32 pm
	2347 *	John Stankey	March 2 2011, 3:33 pm
	2348	Randall Stephenson	March 2 2011, 3:39 pm
	2349	Randall Stephenson	March 2 2011, 3:40 pm
	2350	Randall Stephenson	March 2 2011, 3:40 pm
	2351	Randall Stephenson	March 2 2011, 3:41 pm
	2352	Randall Stephenson	March 2 2011, 3:43 pm
	2353	Randall Stephenson	March 2 2011, 3:43 pm
	2354	Randall Stephenson	March 2 2011, 3:46 pm
	2355 *	John Stankey	March 2 2011, 3:52 pm
	2356 *	John Stankey	March 2 2011, 3:52 pm



**Documented ATT Employees email open and internal email communication with other ATT employees about the Claimant**

AT&T				AT&T			
<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>	<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>
	2357 *	John Stankey	March 2 2011, 3:54 pm		2419 *	John Stankey	March 2 2011, 7:32 pm
	2358 *	John Stankey	March 2 2011, 3:54 pm		2420 *	John Stankey	March 2 2011, 7:32 pm
	2359 *	John Stankey	March 2 2011, 3:54 pm		2421 *	John Stankey	March 2 2011, 7:35 pm
	2360 *	John Stankey	March 2 2011, 3:54 pm		2422	Randall Stephenson	March 2 2011, 7:35 pm
	2361 *	John Stankey	March 2 2011, 3:55 pm		2423	Ralph Delavega	March 2 2011, 7:35 pm
	2362 *	John Stankey	March 2 2011, 3:55 pm		2424	Randall Stephenson	March 2 2011, 7:41 pm
	2363	Randall Stephenson	March 2 2011, 3:55 pm		2425 *	John Stankey	March 2 2011, 7:47 pm
	2364	Randall Stephenson	March 2 2011, 3:55 pm		2426 *	John Stankey	March 2 2011, 7:51 pm
	2365 *	John Stankey	March 2 2011, 3:56 pm		2427 *	John Stankey	March 2 2011, 8:00 pm
	2366	Randall Stephenson	March 2 2011, 3:56 pm		2428	Ralph Delavega	March 2 2011, 8:33 pm
	2367	Randall Stephenson	March 2 2011, 3:56 pm		2429	Ralph Delavega	March 2 2011, 8:34 pm
	2368	Randall Stephenson	March 2 2011, 3:56 pm		2430 *	John Stankey	March 2 2011, 8:35 pm
	2369 *	John Stankey	March 2 2011, 3:57 pm		2431 *	John Stankey	March 2 2011, 8:35 pm
	2370	Randall Stephenson	March 2 2011, 3:57 pm		2432 *	John Stankey	March 2 2011, 8:36 pm
	2371	Randall Stephenson	March 2 2011, 3:59 pm		2433 *	John Stankey	March 2 2011, 9:04 pm
	2372	Wayne Watts	March 2 2011, 4:02 pm		2434 *	Wayne Watts	March 2 2011, 11:34 pm
	2373	Ralph Delavega	March 2 2011, 4:02 pm		2435 *	Wayne Watts	March 2 2011, 11:34 pm
	2374	Wayne Watts	March 2 2011, 4:02 pm		2436 *	Wayne Watts	March 2 2011, 11:51 pm
	2375	Wayne Watts	March 2 2011, 4:07 pm		2437 *	Wayne Watts	March 2 2011, 11:51 pm
	2376	Ralph Delavega	March 2 2011, 4:35 pm		2438 *	John Stankey	March 3 2011, 6:54 am
	2377	Ralph Delavega	March 2 2011, 4:35 pm		2439 *	John Stankey	March 3 2011, 6:55 am
	2378	Rayford Wilkins	March 2 2011, 4:40 pm		2440 *	John Stankey	March 3 2011, 6:59 am
	2379	Rayford Wilkins	March 2 2011, 4:42 pm		2441	Randall Stephenson	March 3 2011, 7:00 am
	2380	Ralph Delavega	March 2 2011, 4:43 pm		2442	Randall Stephenson	March 3 2011, 7:00 am
	2381 *	Ralph Delavega	March 2 2011, 4:45 pm		2443 *	John Stankey	March 3 2011, 7:01 am
	2382 *	John Stankey	March 2 2011, 4:50 pm		2444	Randall Stephenson	March 3 2011, 7:02 am
	2383 *	John Stankey	March 2 2011, 4:52 pm		2445	John Stankey	March 3 2011, 7:02 am
	2384 *	John Stankey	March 2 2011, 4:54 pm		2446	John Stankey	March 3 2011, 7:02 am
	2385 *	John Stankey	March 2 2011, 5:07 pm		2447	John Stankey	March 3 2011, 7:02 am
	2386 *	John Stankey	March 2 2011, 5:07 pm		2448	John Stankey	March 3 2011, 7:02 am
	2387	Randall Stephenson	March 2 2011, 5:07 pm		2449	John Stankey	March 3 2011, 7:05 am
	2388	Randall Stephenson	March 2 2011, 5:09 pm		2450	Randall Stephenson	March 3 2011, 7:06 am
	2389 *	John Stankey	March 2 2011, 5:11 pm		2451	Randall Stephenson	March 3 2011, 7:06 am
	2390	Randall Stephenson	March 2 2011, 5:11 pm		2452	John Stankey	March 3 2011, 7:06 am
	2391 *	John Stankey	March 2 2011, 5:13 pm		2453	John Stankey	March 3 2011, 7:06 am
	2392	Randall Stephenson	March 2 2011, 5:16 pm		2454 *	John Stankey	March 3 2011, 7:07 am
	2393	Randall Stephenson	March 2 2011, 5:17 pm		2455	Randall Stephenson	March 3 2011, 7:07 am
	2394 *	John Stankey	March 2 2011, 5:19 pm		2456 *	John Stankey	March 3 2011, 7:08 am
	2395 *	John Stankey	March 2 2011, 5:21 pm		2457 *	John Stankey	March 3 2011, 7:08 am
	2396 *	John Stankey	March 2 2011, 5:21 pm		2458 *	John Stankey	March 3 2011, 7:08 am
	2397 *	John Stankey	March 2 2011, 5:22 pm		2459 *	John Stankey	March 3 2011, 7:08 am
	2398 *	John Stankey	March 2 2011, 5:22 pm		2460	Ralph Delavega	March 3 2011, 7:12 am
	2399 *	John Stankey	March 2 2011, 5:25 pm		2461 *	John Stankey	March 3 2011, 7:19 am
	2400 *	John Stankey	March 2 2011, 5:31 pm		2462 *	John Stankey	March 3 2011, 7:19 am
	2401 *	John Stankey	March 2 2011, 5:31 pm		2463 *	John Stankey	March 3 2011, 7:22 am
	2402 *	John Stankey	March 2 2011, 5:56 pm		2464 *	John Stankey	March 3 2011, 7:24 am
	2403	Ralph Delavega	March 2 2011, 6:05 pm		2465	Randall Stephenson	March 3 2011, 7:24 am
	2404	Ralph Delavega	March 2 2011, 6:06 pm		2466	Randall Stephenson	March 3 2011, 7:24 am
	2405	Ralph Delavega	March 2 2011, 6:07 pm		2467 *	John Stankey	March 3 2011, 7:25 am
	2406	Ralph Delavega	March 2 2011, 6:07 pm		2468 *	John Stankey	March 3 2011, 7:25 am
	2407	Ralph Delavega	March 2 2011, 6:09 pm		2469 *	John Stankey	March 3 2011, 7:25 am
	2408	Ralph Delavega	March 2 2011, 6:18 pm		2470 *	John Stankey	March 3 2011, 7:25 am
	2409 *	John Stankey	March 2 2011, 6:30 pm		2471 *	John Stankey	March 3 2011, 7:25 am
	2410	Randall Stephenson	March 2 2011, 6:47 pm		2472 *	John Stankey	March 3 2011, 7:25 am
	2411	Randall Stephenson	March 2 2011, 6:47 pm		2473 *	John Stankey	March 3 2011, 7:25 am
	2412	Randall Stephenson	March 2 2011, 6:47 pm		2474 *	John Stankey	March 3 2011, 7:25 am
	2413	Randall Stephenson	March 2 2011, 6:51 pm		2475 *	John Stankey	March 3 2011, 7:25 am
	2414 *	John Stankey	March 2 2011, 7:27 pm		2476 *	John Stankey	March 3 2011, 7:25 am
	2415	Randall Stephenson	March 2 2011, 7:29 pm		2477 *	John Stankey	March 3 2011, 7:25 am
	2416	Randall Stephenson	March 2 2011, 7:29 pm		2478 *	John Stankey	March 3 2011, 7:25 am
	2417	Randall Stephenson	March 2 2011, 7:29 pm		2479	Randall Stephenson	March 3 2011, 7:25 am
	2418 *	John Stankey	March 2 2011, 7:31 pm		2480	Randall Stephenson	March 3 2011, 7:25 am



**Documented ATT Employees email open and internal email communication with other ATT employees about the Claimant**

AT&T				AT&T			
<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>	<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>
	2481 *	John Stankey	March 3 2011, 7:27 am		2543	Randall Stephenson	March 3 2011, 7:47 am
	2482	Brooks Mccorcle	March 3 2011, 7:27 am		2544	Randall Stephenson	March 3 2011, 7:48 am
	2483	Randall Stephenson	March 3 2011, 7:27 am		2545 *	John Stankey	March 3 2011, 7:49 am
	2484	Brooks Mccorcle	March 3 2011, 7:28 am		2546 *	John Stankey	March 3 2011, 7:50 am
	2485	Ralph Delavega	March 3 2011, 7:28 am		2547 *	John Stankey	March 3 2011, 7:50 am
	2486 *	John Stankey	March 3 2011, 7:29 am		2548 *	John Stankey	March 3 2011, 7:52 am
	2487 *	John Stankey	March 3 2011, 7:29 am		2549	Randall Stephenson	March 3 2011, 7:52 am
	2488 *	John Stankey	March 3 2011, 7:29 am		2550	Randall Stephenson	March 3 2011, 7:52 am
	2489	Brooks Mccorcle	March 3 2011, 7:29 am		2551	Randall Stephenson	March 3 2011, 7:52 am
	2490 *	John Stankey	March 3 2011, 7:31 am		2552	Randall Stephenson	March 3 2011, 7:52 am
	2491	Brooks Mccorcle	March 3 2011, 7:31 am		2553	Randall Stephenson	March 3 2011, 7:53 am
	2492 *	John Stankey	March 3 2011, 7:32 am		2554	Brooks Mccorcle	March 3 2011, 7:57 am
	2493 *	John Stankey	March 3 2011, 7:32 am		2555	Brooks Mccorcle	March 3 2011, 7:57 am
	2494 *	John Stankey	March 3 2011, 7:32 am		2556 *	John Stankey	March 3 2011, 7:58 am
	2495 *	John Stankey	March 3 2011, 7:32 am		2557 *	John Stankey	March 3 2011, 7:58 am
	2496	Randall Stephenson	March 3 2011, 7:32 am		2558 *	John Stankey	March 3 2011, 7:58 am
	2497	Randall Stephenson	March 3 2011, 7:32 am		2559 *	John Stankey	March 3 2011, 8:00 am
	2498	Randall Stephenson	March 3 2011, 7:32 am		2560	Brooks Mccorcle	March 3 2011, 8:01 am
	2499	Brooks Mccorcle	March 3 2011, 7:33 am		2561	Randall Stephenson	March 3 2011, 8:02 am
	2500	Randall Stephenson	March 3 2011, 7:33 am		2562	Randall Stephenson	March 3 2011, 8:02 am
	2501	Randall Stephenson	March 3 2011, 7:33 am		2563	Randall Stephenson	March 3 2011, 8:02 am
	2502	Randall Stephenson	March 3 2011, 7:33 am		2564	Randall Stephenson	March 3 2011, 8:02 am
	2503	Randall Stephenson	March 3 2011, 7:33 am		2565 *	John Stankey	March 3 2011, 8:03 am
	2504	Randall Stephenson	March 3 2011, 7:34 am		2566 *	John Stankey	March 3 2011, 8:03 am
	2505	Randall Stephenson	March 3 2011, 7:34 am		2567	Randall Stephenson	March 3 2011, 8:03 am
	2506	Randall Stephenson	March 3 2011, 7:34 am		2568	Randall Stephenson	March 3 2011, 8:05 am
	2507	Randall Stephenson	March 3 2011, 7:34 am		2569	Randall Stephenson	March 3 2011, 8:07 am
	2508	Randall Stephenson	March 3 2011, 7:35 am		2570 *	John Stankey	March 3 2011, 8:08 am
	2509	Randall Stephenson	March 3 2011, 7:35 am		2571	Randall Stephenson	March 3 2011, 8:08 am
	2510	Randall Stephenson	March 3 2011, 7:35 am		2572	Brooks Mccorcle	March 3 2011, 8:08 am
	2511	Randall Stephenson	March 3 2011, 7:36 am		2573 *	John Stankey	March 3 2011, 8:09 am
	2512	Randall Stephenson	March 3 2011, 7:36 am		2574	Randall Stephenson	March 3 2011, 8:09 am
	2513	Randall Stephenson	March 3 2011, 7:36 am		2575	Brooks Mccorcle	March 3 2011, 8:09 am
	2514	Randall Stephenson	March 3 2011, 7:37 am		2576	Brooks Mccorcle	March 3 2011, 8:09 am
	2515	Randall Stephenson	March 3 2011, 7:37 am		2577 *	John Stankey	March 3 2011, 8:12 am
	2516 *	John Stankey	March 3 2011, 7:38 am		2578 *	John Stankey	March 3 2011, 8:13 am
	2517 *	John Stankey	March 3 2011, 7:38 am		2579	Brooks Mccorcle	March 3 2011, 8:13 am
	2518	Brooks Mccorcle	March 3 2011, 7:39 am		2580	Randall Stephenson	March 3 2011, 8:16 am
	2519	Randall Stephenson	March 3 2011, 7:39 am		2581	Randall Stephenson	March 3 2011, 8:16 am
	2520	Ralph Delavega	March 3 2011, 7:39 am		2582	Randall Stephenson	March 3 2011, 8:16 am
	2521	Randall Stephenson	March 3 2011, 7:39 am		2583 *	John Stankey	March 3 2011, 8:19 am
	2522	Randall Stephenson	March 3 2011, 7:39 am		2584 *	John Stankey	March 3 2011, 8:19 am
	2523 *	John Stankey	March 3 2011, 7:40 am		2585 *	John Stankey	March 3 2011, 8:19 am
	2524	Brooks Mccorcle	March 3 2011, 7:40 am		2586 *	John Stankey	March 3 2011, 8:20 am
	2525	Brooks Mccorcle	March 3 2011, 7:40 am		2587	Randall Stephenson	March 3 2011, 8:20 am
	2526	Randall Stephenson	March 3 2011, 7:40 am		2588	Randall Stephenson	March 3 2011, 8:20 am
	2527 *	John Stankey	March 3 2011, 7:41 am		2589 *	John Stankey	March 3 2011, 8:21 am
	2528	Brooks Mccorcle	March 3 2011, 7:41 am		2590 *	John Stankey	March 3 2011, 8:21 am
	2529 *	John Stankey	March 3 2011, 7:42 am		2591 *	John Stankey	March 3 2011, 8:21 am
	2530	Brooks Mccorcle	March 3 2011, 7:42 am		2592	Randall Stephenson	March 3 2011, 8:21 am
	2531 *	John Stankey	March 3 2011, 7:44 am		2593	Randall Stephenson	March 3 2011, 8:21 am
	2532	Brooks Mccorcle	March 3 2011, 7:44 am		2594	Randall Stephenson	March 3 2011, 8:21 am
	2533	Randall Stephenson	March 3 2011, 7:44 am		2595	Randall Stephenson	March 3 2011, 8:21 am
	2534 *	John Stankey	March 3 2011, 7:45 am		2596 *	John Stankey	March 3 2011, 8:22 am
	2535	Ralph Delavega	March 3 2011, 7:45 am		2597 *	John Stankey	March 3 2011, 8:22 am
	2536 *	John Stankey	March 3 2011, 7:46 am		2598 *	John Stankey	March 3 2011, 8:24 am
	2537	Brooks Mccorcle	March 3 2011, 7:46 am		2599	Randall Stephenson	March 3 2011, 8:24 am
	2538	Randall Stephenson	March 3 2011, 7:46 am		2600	John Stankey	March 3 2011, 8:24 am
	2539	Randall Stephenson	March 3 2011, 7:46 am		2601 *	John Stankey	March 3 2011, 8:25 am
	2540	Randall Stephenson	March 3 2011, 7:47 am		2602	Randall Stephenson	March 3 2011, 8:25 am
	2541	Randall Stephenson	March 3 2011, 7:47 am		2603	Randall Stephenson	March 3 2011, 8:25 am
	2542	Randall Stephenson	March 3 2011, 7:47 am		2604	Randall Stephenson	March 3 2011, 8:25 am



**Documented ATT Employees email open and internal email communication with other ATT employees about the Claimant**

AT&T				AT&T			
<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>	<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>
	2729	Brooks Mccorcle	March 3 2011, 8:49 am		2791 *	John Stankey	March 3 2011, 9:08 am
	2730 *	John Stankey	March 3 2011, 8:50 am		2792 *	John Stankey	March 3 2011, 9:08 am
	2731 *	John Stankey	March 3 2011, 8:51 am		2793	Randall Stephenson	March 3 2011, 9:08 am
	2732 *	John Stankey	March 3 2011, 8:51 am		2794	Randall Stephenson	March 3 2011, 9:08 am
	2733	Brooks Mccorcle	March 3 2011, 8:51 am		2795 *	John Stankey	March 3 2011, 9:09 am
	2734	Randall Stephenson	March 3 2011, 8:51 am		2796 *	John Stankey	March 3 2011, 9:09 am
	2735	Randall Stephenson	March 3 2011, 8:51 am		2797 *	John Stankey	March 3 2011, 9:09 am
	2736 *	John Stankey	March 3 2011, 8:52 am		2798	Randall Stephenson	March 3 2011, 9:09 am
	2737 *	John Stankey	March 3 2011, 8:52 am		2799 *	Ralph Delavega	March 3 2011, 9:10 am
	2738	John Stankey	March 3 2011, 8:52 am		2800	Randall Stephenson	March 3 2011, 9:10 am
	2739	John Stankey	March 3 2011, 8:52 am		2801	Brooks Mccorcle	March 3 2011, 9:10 am
	2740 *	Ralph Delavega	March 3 2011, 8:53 am		2802	Randall Stephenson	March 3 2011, 9:10 am
	2741	Brooks Mccorcle	March 3 2011, 8:53 am		2803 *	Ralph Delavega	March 3 2011, 9:11 am
	2742	Brooks Mccorcle	March 3 2011, 8:54 am		2804 *	John Stankey	March 3 2011, 9:11 am
	2743	Randall Stephenson	March 3 2011, 8:54 am		2805 *	John Stankey	March 3 2011, 9:11 am
	2744	Ralph Delavega	March 3 2011, 8:54 am		2806	Randall Stephenson	March 3 2011, 9:11 am
	2745	Randall Stephenson	March 3 2011, 8:54 am		2807 *	John Stankey	March 3 2011, 9:12 am
	2746 *	John Stankey	March 3 2011, 8:55 am		2808 *	John Stankey	March 3 2011, 9:12 am
	2747	Randall Stephenson	March 3 2011, 8:56 am		2809 *	John Stankey	March 3 2011, 9:12 am
	2748	Randall Stephenson	March 3 2011, 8:56 am		2810 *	John Stankey	March 3 2011, 9:12 am
	2749	Randall Stephenson	March 3 2011, 8:56 am		2811 *	John Stankey	March 3 2011, 9:12 am
	2750 *	Ralph Delavega	March 3 2011, 8:57 am		2812	Randall Stephenson	March 3 2011, 9:12 am
	2751 *	John Stankey	March 3 2011, 8:57 am		2813	Randall Stephenson	March 3 2011, 9:12 am
	2752 *	John Stankey	March 3 2011, 8:57 am		2814 *	John Stankey	March 3 2011, 9:13 am
	2753	Brooks Mccorcle	March 3 2011, 8:57 am		2815 *	John Stankey	March 3 2011, 9:13 am
	2754	John Stankey	March 3 2011, 8:57 am		2816	Randall Stephenson	March 3 2011, 9:14 am
	2755	John Stankey	March 3 2011, 8:57 am		2817	Randall Stephenson	March 3 2011, 9:15 am
	2756	Randall Stephenson	March 3 2011, 8:58 am		2818	Randall Stephenson	March 3 2011, 9:15 am
	2757	Randall Stephenson	March 3 2011, 8:58 am		2819 *	John Stankey	March 3 2011, 9:16 am
	2758	Brooks Mccorcle	March 3 2011, 8:59 am		2820	Randall Stephenson	March 3 2011, 9:16 am
	2759	Randall Stephenson	March 3 2011, 8:59 am		2821	Randall Stephenson	March 3 2011, 9:16 am
	2760	Randall Stephenson	March 3 2011, 8:59 am		2822 *	John Stankey	March 3 2011, 9:17 am
	2761	Randall Stephenson	March 3 2011, 8:59 am		2823	John Stankey	March 3 2011, 9:19 am
	2762	Randall Stephenson	March 3 2011, 8:59 am		2824	Randall Stephenson	March 3 2011, 9:19 am
	2763 *	John Stankey	March 3 2011, 9:01 am		2825	Randall Stephenson	March 3 2011, 9:19 am
	2764 *	John Stankey	March 3 2011, 9:02 am		2826	Randall Stephenson	March 3 2011, 9:30 am
	2765 *	Ralph Delavega	March 3 2011, 9:03 am		2827	Randall Stephenson	March 3 2011, 9:30 am
	2766 *	John Stankey	March 3 2011, 9:04 am		2828 *	John Stankey	March 3 2011, 9:32 am
	2767 *	John Stankey	March 3 2011, 9:04 am		2829 *	John Stankey	March 3 2011, 9:32 am
	2768 *	John Stankey	March 3 2011, 9:04 am		2830 *	John Stankey	March 3 2011, 9:32 am
	2769 *	John Stankey	March 3 2011, 9:04 am		2831	Randall Stephenson	March 3 2011, 9:32 am
	2770 *	John Stankey	March 3 2011, 9:04 am		2832 *	John Stankey	March 3 2011, 9:33 am
	2771 *	John Stankey	March 3 2011, 9:04 am		2833 *	John Stankey	March 3 2011, 9:33 am
	2772	Randall Stephenson	March 3 2011, 9:04 am		2834	Randall Stephenson	March 3 2011, 9:33 am
	2773	Randall Stephenson	March 3 2011, 9:04 am		2835	Randall Stephenson	March 3 2011, 9:33 am
	2774	Randall Stephenson	March 3 2011, 9:04 am		2836	Randall Stephenson	March 3 2011, 9:34 am
	2775 *	John Stankey	March 3 2011, 9:05 am		2837	Randall Stephenson	March 3 2011, 9:35 am
	2776 *	John Stankey	March 3 2011, 9:05 am		2838	Randall Stephenson	March 3 2011, 9:35 am
	2777 *	John Stankey	March 3 2011, 9:05 am		2839	Randall Stephenson	March 3 2011, 9:36 am
	2778 *	John Stankey	March 3 2011, 9:05 am		2840	Randall Stephenson	March 3 2011, 9:36 am
	2779	Randall Stephenson	March 3 2011, 9:05 am		2841	Randall Stephenson	March 3 2011, 9:36 am
	2780	John Stankey	March 3 2011, 9:05 am		2842	Randall Stephenson	March 3 2011, 9:36 am
	2781	John Stankey	March 3 2011, 9:05 am		2843	Randall Stephenson	March 3 2011, 9:37 am
	2782	John Stankey	March 3 2011, 9:06 am		2844	Randall Stephenson	March 3 2011, 9:37 am
	2783	John Stankey	March 3 2011, 9:06 am		2845	Randall Stephenson	March 3 2011, 9:37 am
	2784	Randall Stephenson	March 3 2011, 9:06 am		2846	Randall Stephenson	March 3 2011, 9:37 am
	2785	Randall Stephenson	March 3 2011, 9:06 am		2847	Randall Stephenson	March 3 2011, 9:37 am
	2786 *	John Stankey	March 3 2011, 9:07 am		2848	Randall Stephenson	March 3 2011, 9:38 am
	2787	John Stankey	March 3 2011, 9:07 am		2849	Randall Stephenson	March 3 2011, 9:38 am
	2788	John Stankey	March 3 2011, 9:07 am		2850	Randall Stephenson	March 3 2011, 9:38 am
	2789 *	John Stankey	March 3 2011, 9:08 am		2851	Randall Stephenson	March 3 2011, 9:38 am
	2790 *	John Stankey	March 3 2011, 9:08 am		2852 *	John Stankey	March 3 2011, 9:39 am

**Documented ATT Employees email open and internal email communication with other ATT employees about the Claimant**

AT&T				AT&T			
<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>	<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>
	2853	Randall Stephenson	March 3 2011, 9:39 am		2915	Randall Stephenson	March 3 2011, 10:14 am
	2854	Randall Stephenson	March 3 2011, 9:39 am		2916	Randall Stephenson	March 3 2011, 10:14 am
	2855	Randall Stephenson	March 3 2011, 9:39 am		2917	Randall Stephenson	March 3 2011, 10:14 am
	2856	Randall Stephenson	March 3 2011, 9:39 am		2918	Randall Stephenson	March 3 2011, 10:14 am
	2857	Randall Stephenson	March 3 2011, 9:39 am		2919	Randall Stephenson	March 3 2011, 10:14 am
	2858	Randall Stephenson	March 3 2011, 9:39 am		2920	Randall Stephenson	March 3 2011, 10:14 am
	2859	Randall Stephenson	March 3 2011, 9:39 am		2921	Randall Stephenson	March 3 2011, 10:14 am
	2860	Randall Stephenson	March 3 2011, 9:39 am		2922	Randall Stephenson	March 3 2011, 10:14 am
	2861	Randall Stephenson	March 3 2011, 9:40 am		2923 *	John Stankey	March 3 2011, 10:16 am
	2862	Randall Stephenson	March 3 2011, 9:40 am		2924 *	John Stankey	March 3 2011, 10:16 am
	2863	Randall Stephenson	March 3 2011, 9:41 am		2925 *	Ralph Delavega	March 3 2011, 10:16 am
	2864	Randall Stephenson	March 3 2011, 9:41 am		2926 *	John Stankey	March 3 2011, 10:16 am
	2865	Randall Stephenson	March 3 2011, 9:41 am		2927 *	John Stankey	March 3 2011, 10:16 am
	2866	Randall Stephenson	March 3 2011, 9:41 am		2928 *	John Stankey	March 3 2011, 10:17 am
	2867	Randall Stephenson	March 3 2011, 9:41 am		2929 *	John Stankey	March 3 2011, 10:17 am
	2868	John Stankey	March 3 2011, 9:41 am		2930	John Stankey	March 3 2011, 10:17 am
	2869	Randall Stephenson	March 3 2011, 9:41 am		2931	John Stankey	March 3 2011, 10:17 am
	2870	Randall Stephenson	March 3 2011, 9:41 am		2932	John Stankey	March 3 2011, 10:17 am
	2871 *	John Stankey	March 3 2011, 9:42 am		2933 *	John Stankey	March 3 2011, 10:18 am
	2872	Randall Stephenson	March 3 2011, 9:42 am		2934 *	John Stankey	March 3 2011, 10:18 am
	2873	Randall Stephenson	March 3 2011, 9:42 am		2935	John Stankey	March 3 2011, 10:18 am
	2874	Randall Stephenson	March 3 2011, 9:42 am		2936 *	John Stankey	March 3 2011, 10:19 am
	2875	Randall Stephenson	March 3 2011, 9:42 am		2937 *	John Stankey	March 3 2011, 10:20 am
	2876	Randall Stephenson	March 3 2011, 9:42 am		2938 *	John Stankey	March 3 2011, 10:20 am
	2877	Randall Stephenson	March 3 2011, 9:42 am		2939 *	John Stankey	March 3 2011, 10:20 am
	2878	Randall Stephenson	March 3 2011, 9:42 am		2940	Randall Stephenson	March 3 2011, 10:21 am
	2879	Randall Stephenson	March 3 2011, 9:42 am		2941 *	Ralph Delavega	March 3 2011, 10:22 am
	2880	Randall Stephenson	March 3 2011, 9:43 am		2942 *	John Stankey	March 3 2011, 10:24 am
	2881	Randall Stephenson	March 3 2011, 9:43 am		2943 *	Wayne Watts	March 3 2011, 10:24 am
	2882 *	John Stankey	March 3 2011, 9:44 am		2944	Randall Stephenson	March 3 2011, 10:24 am
	2883	Randall Stephenson	March 3 2011, 9:44 am		2945	John Stankey	March 3 2011, 10:26 am
	2884	Randall Stephenson	March 3 2011, 9:45 am		2946	John Stankey	March 3 2011, 10:26 am
	2885	Randall Stephenson	March 3 2011, 9:45 am		2947 *	Wayne Watts	March 3 2011, 10:28 am
	2886	Randall Stephenson	March 3 2011, 9:46 am		2948	Ralph Delavega	March 3 2011, 10:29 am
	2887	Randall Stephenson	March 3 2011, 9:46 am		2949	Ralph Delavega	March 3 2011, 10:30 am
	2888	Randall Stephenson	March 3 2011, 9:47 am		2950	Ralph Delavega	March 3 2011, 10:30 am
	2889	Randall Stephenson	March 3 2011, 9:47 am		2951	Ralph Delavega	March 3 2011, 10:30 am
	2890 *	Ralph Delavega	March 3 2011, 9:48 am		2952	Randall Stephenson	March 3 2011, 10:30 am
	2891 *	John Stankey	March 3 2011, 9:48 am		2953 *	Wayne Watts	March 3 2011, 10:31 am
	2892 *	John Stankey	March 3 2011, 9:48 am		2954	Ralph Delavega	March 3 2011, 10:31 am
	2893	Randall Stephenson	March 3 2011, 9:48 am		2955	Ralph Delavega	March 3 2011, 10:31 am
	2894	Randall Stephenson	March 3 2011, 9:49 am		2956	Ralph Delavega	March 3 2011, 10:32 am
	2895	Randall Stephenson	March 3 2011, 9:49 am		2957	Ralph Delavega	March 3 2011, 10:35 am
	2896	Randall Stephenson	March 3 2011, 9:49 am		2958	Ralph Delavega	March 3 2011, 10:35 am
	2897	John Stankey	March 3 2011, 9:50 am		2959	Ralph Delavega	March 3 2011, 10:36 am
	2898	Randall Stephenson	March 3 2011, 9:50 am		2960 *	John Stankey	March 3 2011, 10:38 am
	2899	Randall Stephenson	March 3 2011, 9:55 am		2961	Ralph Delavega	March 3 2011, 10:40 am
	2900	Randall Stephenson	March 3 2011, 9:59 am		2962 *	John Stankey	March 3 2011, 10:42 am
	2901 *	John Stankey	March 3 2011, 10:01 am		2963	John Stankey	March 3 2011, 10:46 am
	2902 *	Catherine Coughlin	March 3 2011, 10:01 am		2964	John Stankey	March 3 2011, 10:46 am
	2903	William Blase	March 3 2011, 10:02 am		2965	Randall Stephenson	March 3 2011, 10:47 am
	2904 *	John Stankey	March 3 2011, 10:07 am		2966	Randall Stephenson	March 3 2011, 10:47 am
	2905	Randall Stephenson	March 3 2011, 10:07 am		2967	Ralph Delavega	March 3 2011, 10:48 am
	2906	Randall Stephenson	March 3 2011, 10:07 am		2968	Ralph Delavega	March 3 2011, 10:48 am
	2907	Randall Stephenson	March 3 2011, 10:07 am		2969	Randall Stephenson	March 3 2011, 10:49 am
	2908 *	John Stankey	March 3 2011, 10:08 am		2970 *	John Stankey	March 3 2011, 10:50 am
	2909	Ralph Delavega	March 3 2011, 10:09 am		2971	John Stankey	March 3 2011, 10:50 am
	2910	Ralph Delavega	March 3 2011, 10:09 am		2972	John Stankey	March 3 2011, 10:50 am
	2911	Randall Stephenson	March 3 2011, 10:09 am		2973	John Stankey	March 3 2011, 10:50 am
	2912	Randall Stephenson	March 3 2011, 10:09 am		2974	Randall Stephenson	March 3 2011, 10:50 am
	2913	Randall Stephenson	March 3 2011, 10:10 am		2975	Randall Stephenson	March 3 2011, 10:50 am
	2914 *	Ralph Delavega	March 3 2011, 10:11 am		2976	Randall Stephenson	March 3 2011, 10:52 am



**Documented ATT Employees email open and internal email communication with other ATT employees about the Claimant**

AT&T				AT&T			
<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>	<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>
	2977	Ralph Delavega	March 3 2011, 10:52 am		3039	Randall Stephenson	March 3 2011, 11:37 am
	2978	John Stankey	March 3 2011, 10:52 am		3040	Randall Stephenson	March 3 2011, 11:38 am
	2979	Ralph Delavega	March 3 2011, 10:54 am		3041	Randall Stephenson	March 3 2011, 11:38 am
	2980	Wayne Watts	March 3 2011, 10:54 am		3042	Randall Stephenson	March 3 2011, 11:38 am
	2981	Randall Stephenson	March 3 2011, 10:54 am		3043	Randall Stephenson	March 3 2011, 11:38 am
	2982	John Stankey	March 3 2011, 10:55 am		3044	Randall Stephenson	March 3 2011, 11:39 am
	2983	John Stankey	March 3 2011, 10:56 am		3045	Randall Stephenson	March 3 2011, 11:39 am
	2984	Randall Stephenson	March 3 2011, 10:56 am		3046	Randall Stephenson	March 3 2011, 11:39 am
	2985	Randall Stephenson	March 3 2011, 10:56 am		3047 *	John Stankey	March 3 2011, 11:40 am
	2986	John Stankey	March 3 2011, 10:57 am		3048	Randall Stephenson	March 3 2011, 11:40 am
	2987	John Stankey	March 3 2011, 10:57 am		3049	Randall Stephenson	March 3 2011, 11:40 am
	2988	John Stankey	March 3 2011, 11:03 am		3050	Randall Stephenson	March 3 2011, 11:40 am
	2989	John Stankey	March 3 2011, 11:03 am		3051 *	John Stankey	March 3 2011, 11:41 am
	2990	John Stankey	March 3 2011, 11:03 am		3052	Randall Stephenson	March 3 2011, 11:41 am
	2991	John Stankey	March 3 2011, 11:03 am		3053	Randall Stephenson	March 3 2011, 11:41 am
	2992	Randall Stephenson	March 3 2011, 11:04 am		3054	Randall Stephenson	March 3 2011, 11:42 am
	2993	John Stankey	March 3 2011, 11:07 am		3055	Randall Stephenson	March 3 2011, 11:42 am
	2994	John Stankey	March 3 2011, 11:07 am		3056	Randall Stephenson	March 3 2011, 11:42 am
	2995	John Stankey	March 3 2011, 11:07 am		3057	Randall Stephenson	March 3 2011, 11:42 am
	2996	John Stankey	March 3 2011, 11:07 am		3058	Randall Stephenson	March 3 2011, 11:43 am
	2997	John Stankey	March 3 2011, 11:08 am		3059 *	John Stankey	March 3 2011, 11:44 am
	2998	John Stankey	March 3 2011, 11:08 am		3060	John Stankey	March 3 2011, 11:45 am
	2999	Randall Stephenson	March 3 2011, 11:10 am		3061 *	John Stankey	March 3 2011, 11:47 am
	3000	John Stankey	March 3 2011, 11:16 am		3062	Randall Stephenson	March 3 2011, 11:50 am
	3001	John Stankey	March 3 2011, 11:16 am		3063	Randall Stephenson	March 3 2011, 11:50 am
	3002	John Stankey	March 3 2011, 11:17 am		3064	Randall Stephenson	March 3 2011, 11:55 am
	3003	John Stankey	March 3 2011, 11:17 am		3065 *	John Stankey	March 3 2011, 11:57 am
	3004	John Stankey	March 3 2011, 11:21 am		3066	Randall Stephenson	March 3 2011, 11:57 am
	3005	John Stankey	March 3 2011, 11:21 am		3067	Randall Stephenson	March 3 2011, 11:58 am
	3006	John Stankey	March 3 2011, 11:21 am		3068	Randall Stephenson	March 3 2011, 11:58 am
	3007	John Stankey	March 3 2011, 11:21 am		3069 *	Wayne Watts	March 3 2011, 12:00 pm
	3008	John Stankey	March 3 2011, 11:21 am		3070	Randall Stephenson	March 3 2011, 12:01 pm
	3009	Randall Stephenson	March 3 2011, 11:26 am		3071	Randall Stephenson	March 3 2011, 12:02 pm
	3010 *	John Stankey	March 3 2011, 11:27 am		3072	Randall Stephenson	March 3 2011, 12:03 pm
	3011 *	John Stankey	March 3 2011, 11:28 am		3073	Randall Stephenson	March 3 2011, 12:03 pm
	3012	Randall Stephenson	March 3 2011, 11:29 am		3074	Randall Stephenson	March 3 2011, 12:03 pm
	3013	John Stankey	March 3 2011, 11:29 am		3075	Randall Stephenson	March 3 2011, 12:03 pm
	3014	Randall Stephenson	March 3 2011, 11:30 am		3076	Randall Stephenson	March 3 2011, 12:04 pm
	3015	Randall Stephenson	March 3 2011, 11:30 am		3077	John Stankey	March 3 2011, 12:05 pm
	3016	John Stankey	March 3 2011, 11:30 am		3078	Randall Stephenson	March 3 2011, 12:09 pm
	3017 *	John Stankey	March 3 2011, 11:33 am		3079 *	Randall Stephenson	March 3 2011, 12:10 pm
	3018 *	John Stankey	March 3 2011, 11:33 am		3080 *	Randall Stephenson	March 3 2011, 12:10 pm
	3019	Randall Stephenson	March 3 2011, 11:33 am		3081	Randall Stephenson	March 3 2011, 12:10 pm
	3020	Randall Stephenson	March 3 2011, 11:33 am		3082	Randall Stephenson	March 3 2011, 12:10 pm
	3021	Ralph Delavega	March 3 2011, 11:33 am		3083	Randall Stephenson	March 3 2011, 12:10 pm
	3022	Ralph Delavega	March 3 2011, 11:33 am		3084	Randall Stephenson	March 3 2011, 12:10 pm
	3023	Ralph Delavega	March 3 2011, 11:33 am		3085	Randall Stephenson	March 3 2011, 12:11 pm
	3024	Ralph Delavega	March 3 2011, 11:33 am		3086	Randall Stephenson	March 3 2011, 12:14 pm
	3025	Ralph Delavega	March 3 2011, 11:33 am		3087	Randall Stephenson	March 3 2011, 12:14 pm
	3026 *	John Stankey	March 3 2011, 11:34 am		3088	Randall Stephenson	March 3 2011, 12:15 pm
	3027 *	John Stankey	March 3 2011, 11:34 am		3089	Randall Stephenson	March 3 2011, 12:16 pm
	3028 *	John Stankey	March 3 2011, 11:34 am		3090	Randall Stephenson	March 3 2011, 12:16 pm
	3029 *	John Stankey	March 3 2011, 11:34 am		3091	Randall Stephenson	March 3 2011, 12:16 pm
	3030 *	John Stankey	March 3 2011, 11:34 am		3092	Randall Stephenson	March 3 2011, 12:16 pm
	3031 *	John Stankey	March 3 2011, 11:34 am		3093	Randall Stephenson	March 3 2011, 12:21 pm
	3032 *	John Stankey	March 3 2011, 11:34 am		3094	John Stankey	March 3 2011, 12:21 pm
	3033 *	John Stankey	March 3 2011, 11:34 am		3095	Randall Stephenson	March 3 2011, 12:25 pm
	3034 *	John Stankey	March 3 2011, 11:34 am		3096	Randall Stephenson	March 3 2011, 12:29 pm
	3035	John Stankey	March 3 2011, 11:35 am		3097 *	John Stankey	March 3 2011, 12:32 pm
	3036	John Stankey	March 3 2011, 11:35 am		3098 *	John Stankey	March 3 2011, 12:35 pm
	3037	John Stankey	March 3 2011, 11:35 am		3099	Randall Stephenson	March 3 2011, 12:35 pm
	3038	Randall Stephenson	March 3 2011, 11:37 am		3100	Ralph Delavega	March 3 2011, 12:35 pm

**Documented ATT Employees email open and internal email communication with other ATT employees about the Claimant**

AT&T				AT&T			
<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>	<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>
	3101	Randall Stephenson	March 3 2011, 12:35 pm		3163	Brooks Mccorcle	March 3 2011, 1:16 pm
	3102	Randall Stephenson	March 3 2011, 12:38 pm		3164	Brooks Mccorcle	March 3 2011, 1:16 pm
	3103	Randall Stephenson	March 3 2011, 12:39 pm		3165	Brooks Mccorcle	March 3 2011, 1:16 pm
	3104	Randall Stephenson	March 3 2011, 12:41 pm		3166	Brooks Mccorcle	March 3 2011, 1:16 pm
	3105	John Stankey	March 3 2011, 12:41 pm		3167	Brooks Mccorcle	March 3 2011, 1:16 pm
	3106	John Stankey	March 3 2011, 12:42 pm		3168	Brooks Mccorcle	March 3 2011, 1:16 pm
	3107	Ralph Delavega	March 3 2011, 12:43 pm		3169	Ralph Delavega	March 3 2011, 1:16 pm
	3108	Randall Stephenson	March 3 2011, 12:45 pm		3170	Ralph Delavega	March 3 2011, 1:16 pm
	3109	Ralph Delavega	March 3 2011, 12:47 pm		3171	Ralph Delavega	March 3 2011, 1:16 pm
	3110	Randall Stephenson	March 3 2011, 12:48 pm		3172	Ralph Delavega	March 3 2011, 1:16 pm
	3111	Randall Stephenson	March 3 2011, 12:53 pm		3173	Ralph Delavega	March 3 2011, 1:16 pm
	3112	Randall Stephenson	March 3 2011, 12:56 pm		3174 *	John Stankey	March 3 2011, 1:17 pm
	3113	Randall Stephenson	March 3 2011, 1:02 pm		3175 *	John Stankey	March 3 2011, 1:17 pm
	3114	Randall Stephenson	March 3 2011, 1:02 pm		3176 *	John Stankey	March 3 2011, 1:17 pm
	3115	Randall Stephenson	March 3 2011, 1:02 pm		3177 *	John Stankey	March 3 2011, 1:17 pm
	3116	John Stankey	March 3 2011, 1:02 pm		3178 *	John Stankey	March 3 2011, 1:17 pm
	3117	John Stankey	March 3 2011, 1:02 pm		3179 *	John Stankey	March 3 2011, 1:17 pm
	3118	John Stankey	March 3 2011, 1:02 pm		3180 *	John Stankey	March 3 2011, 1:17 pm
	3119	Randall Stephenson	March 3 2011, 1:04 pm		3181	Ralph Delavega	March 3 2011, 1:17 pm
	3120	John Stankey	March 3 2011, 1:04 pm		3182	Ralph Delavega	March 3 2011, 1:17 pm
	3121	Ralph Delavega	March 3 2011, 1:05 pm		3183	Ralph Delavega	March 3 2011, 1:17 pm
	3122	John Stankey	March 3 2011, 1:05 pm		3184	Brooks Mccorcle	March 3 2011, 1:17 pm
	3123	John Stankey	March 3 2011, 1:06 pm		3185	Brooks Mccorcle	March 3 2011, 1:17 pm
	3124	John Stankey	March 3 2011, 1:06 pm		3186	Brooks Mccorcle	March 3 2011, 1:17 pm
	3125	John Stankey	March 3 2011, 1:06 pm		3187	Brooks Mccorcle	March 3 2011, 1:17 pm
	3126	John Stankey	March 3 2011, 1:06 pm		3188	Randall Stephenson	March 3 2011, 1:21 pm
	3127	John Stankey	March 3 2011, 1:07 pm		3189	John Stankey	March 3 2011, 1:24 pm
	3128	John Stankey	March 3 2011, 1:07 pm		3190	Randall Stephenson	March 3 2011, 1:27 pm
	3129	John Stankey	March 3 2011, 1:07 pm		3191	John Stankey	March 3 2011, 1:27 pm
	3130	Randall Stephenson	March 3 2011, 1:08 pm		3192	John Stankey	March 3 2011, 1:29 pm
	3131	John Stankey	March 3 2011, 1:08 pm		3193	John Stankey	March 3 2011, 1:30 pm
	3132	John Stankey	March 3 2011, 1:09 pm		3194	Randall Stephenson	March 3 2011, 1:34 pm
	3133	John Stankey	March 3 2011, 1:10 pm		3195	Randall Stephenson	March 3 2011, 1:34 pm
	3134	John Stankey	March 3 2011, 1:11 pm		3196	Randall Stephenson	March 3 2011, 1:36 pm
	3135	John Stankey	March 3 2011, 1:13 pm		3197	Randall Stephenson	March 3 2011, 1:36 pm
	3136	Randall Stephenson	March 3 2011, 1:15 pm		3198	Randall Stephenson	March 3 2011, 1:37 pm
	3137	Randall Stephenson	March 3 2011, 1:15 pm		3199	Randall Stephenson	March 3 2011, 1:37 pm
	3138	John Stankey	March 3 2011, 1:15 pm		3200	Randall Stephenson	March 3 2011, 1:38 pm
	3139 *	John Stankey	March 3 2011, 1:16 pm		3201	Randall Stephenson	March 3 2011, 1:38 pm
	3140 *	John Stankey	March 3 2011, 1:16 pm		3202	Randall Stephenson	March 3 2011, 1:38 pm
	3141 *	John Stankey	March 3 2011, 1:16 pm		3203	John Stankey	March 3 2011, 1:39 pm
	3142 *	John Stankey	March 3 2011, 1:16 pm		3204	Charles Knight	March 3 2011, 1:43 pm
	3143 *	John Stankey	March 3 2011, 1:16 pm		3205	John Stankey	March 3 2011, 1:44 pm
	3144 *	John Stankey	March 3 2011, 1:16 pm		3206	Charles Knight	March 3 2011, 1:45 pm
	3145 *	John Stankey	March 3 2011, 1:16 pm		3207	Charles Knight	March 3 2011, 1:47 pm
	3146 *	John Stankey	March 3 2011, 1:16 pm		3208	John Stankey	March 3 2011, 1:51 pm
	3147 *	John Stankey	March 3 2011, 1:16 pm		3209	Randall Stephenson	March 3 2011, 2:00 pm
	3148 *	John Stankey	March 3 2011, 1:16 pm		3210	John Stankey	March 3 2011, 2:05 pm
	3149 *	John Stankey	March 3 2011, 1:16 pm		3211	Randall Stephenson	March 3 2011, 2:06 pm
	3150 *	John Stankey	March 3 2011, 1:16 pm		3212	John Stankey	March 3 2011, 2:06 pm
	3151 *	John Stankey	March 3 2011, 1:16 pm		3213	John Stankey	March 3 2011, 2:07 pm
	3152 *	John Stankey	March 3 2011, 1:16 pm		3214 *	Wayne Watts	March 3 2011, 2:13 pm
	3153 *	John Stankey	March 3 2011, 1:16 pm		3215 *	Wayne Watts	March 3 2011, 2:13 pm
	3154 *	John Stankey	March 3 2011, 1:16 pm		3216 *	Wayne Watts	March 3 2011, 2:14 pm
	3155 *	John Stankey	March 3 2011, 1:16 pm		3217	Randall Stephenson	March 3 2011, 2:15 pm
	3156 *	John Stankey	March 3 2011, 1:16 pm		3218	Randall Stephenson	March 3 2011, 2:16 pm
	3157 *	John Stankey	March 3 2011, 1:16 pm		3219	Randall Stephenson	March 3 2011, 2:16 pm
	3158 *	John Stankey	March 3 2011, 1:16 pm		3220	Charles Knight	March 3 2011, 2:18 pm
	3159 *	John Stankey	March 3 2011, 1:16 pm		3221	Randall Stephenson	March 3 2011, 2:22 pm
	3160 *	John Stankey	March 3 2011, 1:16 pm		3222 *	John Stankey	March 3 2011, 2:23 pm
	3161	Brooks Mccorcle	March 3 2011, 1:16 pm		3223 *	John Stankey	March 3 2011, 2:23 pm
	3162	Brooks Mccorcle	March 3 2011, 1:16 pm		3224	Randall Stephenson	March 3 2011, 2:26 pm



**Documented ATT Employees email open and internal email communication with other ATT employees about the Claimant**

AT&T				AT&T			
<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>	<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>
	3225	Randall Stephenson	March 3 2011, 2:26 pm		3287	Christopher Womack	March 4 2011, 6:48 am
	3226	Randall Stephenson	March 3 2011, 2:26 pm		3288	Ralph Delavega	March 4 2011, 6:51 am
	3227	Randall Stephenson	March 3 2011, 2:28 pm		3289	Ralph Delavega	March 4 2011, 6:53 am
	3228	John Stankey	March 3 2011, 2:28 pm		3290	Ralph Delavega	March 4 2011, 6:54 am
	3229 *	John Stankey	March 3 2011, 2:32 pm		3291	Ralph Delavega	March 4 2011, 7:00 am
	3230	Randall Stephenson	March 3 2011, 2:32 pm		3292	Jamie Anderson	March 4 2011, 7:13 am
	3231	Randall Stephenson	March 3 2011, 2:32 pm		3293	Jamie Anderson	March 4 2011, 7:13 am
	3232	Randall Stephenson	March 3 2011, 2:33 pm		3294	Jamie Anderson	March 4 2011, 7:16 am
	3233 *	John Stankey	March 3 2011, 2:35 pm		3295	Jamie Anderson	March 4 2011, 7:16 am
	3234	John Stankey	March 3 2011, 2:37 pm		3296	Jamie Anderson	March 4 2011, 7:20 am
	3235	John Stankey	March 3 2011, 2:51 pm		3297	Jamie Anderson	March 4 2011, 7:20 am
	3236	John Stankey	March 3 2011, 2:51 pm		3298	Ralph Delavega	March 4 2011, 7:27 am
	3237	Randall Stephenson	March 3 2011, 2:58 pm		3299	Randall Stephenson	March 4 2011, 7:32 am
	3238	John Stankey	March 3 2011, 3:04 pm		3300	Randall Stephenson	March 4 2011, 7:32 am
	3239	Randall Stephenson	March 3 2011, 3:11 pm		3301	Randall Stephenson	March 4 2011, 8:03 am
	3240	Randall Stephenson	March 3 2011, 3:13 pm		3302 *	John Stankey	March 4 2011, 8:05 am
	3241	Derek Roy	March 3 2011, 3:16 pm		3303 *	John Stankey	March 4 2011, 8:05 am
	3242	John Stankey	March 3 2011, 3:17 pm		3304 *	John Stankey	March 4 2011, 8:05 am
	3243	Charles Knight	March 3 2011, 3:26 pm		3305 *	John Stankey	March 4 2011, 8:06 am
	3244	Charles Knight	March 3 2011, 3:26 pm		3306	Wayne Watts	March 4 2011, 8:15 am
	3245	John Stankey	March 3 2011, 3:26 pm		3307	Randall Stephenson	March 4 2011, 8:16 am
	3246	Brooks Mccorcle	March 3 2011, 3:40 pm		3308	Randall Stephenson	March 4 2011, 8:16 am
	3247	John Stankey	March 3 2011, 3:55 pm		3309	Randall Stephenson	March 4 2011, 8:18 am
	3248	John Stankey	March 3 2011, 3:58 pm		3310	William Kuhn	March 4 2011, 8:19 am
	3249	John Stankey	March 3 2011, 3:58 pm		3311	William Kuhn	March 4 2011, 8:19 am
	3250	John Stankey	March 3 2011, 3:58 pm		3312	Randall Stephenson	March 4 2011, 8:20 am
	3251	John Stankey	March 3 2011, 3:58 pm		3313	Drucilla Cessac	March 4 2011, 8:26 am
	3252	John Stankey	March 3 2011, 4:04 pm		3314	Drucilla Cessac	March 4 2011, 8:28 am
	3253 *	Wayne Watts	March 3 2011, 4:15 pm		3315	Drucilla Cessac	March 4 2011, 8:28 am
	3254 *	Wayne Watts	March 3 2011, 4:17 pm		3316	Randall Stephenson	March 4 2011, 8:29 am
	3255	Randall Stephenson	March 3 2011, 4:17 pm		3317	Drucilla Cessac	March 4 2011, 8:29 am
	3256	Randall Stephenson	March 3 2011, 4:17 pm		3318	Drucilla Cessac	March 4 2011, 8:29 am
	3257	John Stankey	March 3 2011, 4:26 pm		3319	Joseph Parsons	March 4 2011, 8:31 am
	3258	John Stankey	March 3 2011, 4:32 pm		3320	Randall Stephenson	March 4 2011, 8:33 am
	3259	Randall Stephenson	March 3 2011, 4:50 pm		3321	Randall Stephenson	March 4 2011, 8:33 am
	3260	John Stankey	March 3 2011, 4:51 pm		3322	Randall Stephenson	March 4 2011, 8:33 am
	3261	Randall Stephenson	March 3 2011, 4:53 pm		3323	Randall Stephenson	March 4 2011, 8:40 am
	3262	John Stankey	March 3 2011, 5:22 pm		3324	Jennifer Ousley	March 4 2011, 8:49 am
	3263	Randall Stephenson	March 3 2011, 5:41 pm		3325	Randall Stephenson	March 4 2011, 9:02 am
	3264	Randall Stephenson	March 3 2011, 5:41 pm		3326	Randall Stephenson	March 4 2011, 9:02 am
	3265	Randall Stephenson	March 3 2011, 5:41 pm		3327	Joseph Parsons	March 4 2011, 9:20 am
	3266	Forrest Miller	March 3 2011, 5:56 pm		3328	Richard Lindner	March 4 2011, 9:22 am
	3267	Forrest Miller	March 3 2011, 5:56 pm		3329	Richard Lindner	March 4 2011, 9:22 am
	3268	John Stankey	March 3 2011, 6:04 pm		3330	Richard Lindner	March 4 2011, 9:22 am
	3269	Brooks Mccorcle	March 3 2011, 6:16 pm		3331	John Stankey	March 4 2011, 9:37 am
	3270	Brooks Mccorcle	March 3 2011, 6:16 pm		3332	John Stankey	March 4 2011, 9:37 am
	3271	Joseph Parsons	March 3 2011, 6:41 pm		3333	Forrest Miller	March 4 2011, 11:12 am
	3272	Rayford Wilkins	March 3 2011, 7:38 pm		3334	Forrest Miller	March 4 2011, 11:14 am
	3273	Rayford Wilkins	March 3 2011, 7:38 pm		3335	Forrest Miller	March 4 2011, 11:14 am
	3274	Rayford Wilkins	March 3 2011, 7:40 pm		3336	Forrest Miller	March 4 2011, 11:14 am
	3275	Forrest Miller	March 3 2011, 8:05 pm		3337	Randall Stephenson	March 4 2011, 11:20 am
	3276	Brooks Mccorcle	March 3 2011, 8:09 pm		3338	Forrest Miller	March 4 2011, 11:24 am
	3277	Brooks Mccorcle	March 3 2011, 8:10 pm		3339	Forrest Miller	March 4 2011, 11:33 am
	3278	Brooks Mccorcle	March 3 2011, 8:10 pm		3340	Randall Stephenson	March 4 2011, 11:37 am
	3279	Wayne Watts	March 3 2011, 8:41 pm		3341	John Stankey	March 4 2011, 12:10 pm
	3280	Forrest Miller	March 3 2011, 9:47 pm		3342	John Stankey	March 4 2011, 12:11 pm
	3281	Forrest Miller	March 3 2011, 9:47 pm		3343	John Stankey	March 4 2011, 12:24 pm
	3282	Randall Stephenson	March 4 2011, 12:20 am		3344	John Stankey	March 4 2011, 12:29 pm
	3283 *	Wayne Watts	March 4 2011, 6:40 am		3345 *	Wayne Watts	March 4 2011, 1:21 pm
	3284 *	Wayne Watts	March 4 2011, 6:40 am		3346	Forrest Miller	March 4 2011, 1:43 pm
	3285	Randall Stephenson	March 4 2011, 6:45 am		3347	Forrest Miller	March 4 2011, 1:44 pm
	3286	Randall Stephenson	March 4 2011, 6:45 am		3348	Forrest Miller	March 4 2011, 1:44 pm

**Documented ATT Employees email open and internal email communication with other ATT employees about the Claimant**

AT&T				AT&T			
<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>	<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>
	3349	Forrest Miller	March 4 2011, 1:45 pm		3411 *	Ralph Delavega	March 4 2011, 4:44 pm
	3350 *	John Stankey	March 4 2011, 2:08 pm		3412 *	Wayne Watts	March 4 2011, 4:44 pm
	3351 *	John Stankey	March 4 2011, 2:08 pm		3413	Ralph Delavega	March 4 2011, 4:44 pm
	3352 *	John Stankey	March 4 2011, 2:08 pm		3414	Ralph Delavega	March 4 2011, 4:44 pm
	3353 *	John Stankey	March 4 2011, 2:16 pm		3415	Randall Stephenson	March 4 2011, 4:44 pm
	3354	Drucilla Cessac	March 4 2011, 3:40 pm		3416 *	Wayne Watts	March 4 2011, 4:46 pm
	3355	Drucilla Cessac	March 4 2011, 3:40 pm		3417 *	Ralph Delavega	March 4 2011, 4:46 pm
	3356	Drucilla Cessac	March 4 2011, 3:40 pm		3418 *	Wayne Watts	March 4 2011, 4:46 pm
	3357	Drucilla Cessac	March 4 2011, 3:40 pm		3419 *	Wayne Watts	March 4 2011, 4:47 pm
	3358	Drucilla Cessac	March 4 2011, 3:41 pm		3420	Ralph Delavega	March 4 2011, 4:47 pm
	3359	Drucilla Cessac	March 4 2011, 3:41 pm		3421	Ralph Delavega	March 4 2011, 4:49 pm
	3360	Christopher Womack	March 4 2011, 3:44 pm		3422	Drucilla Cessac	March 4 2011, 4:50 pm
	3361	Randall Stephenson	March 4 2011, 3:56 pm		3423 *	Ralph Delavega	March 4 2011, 4:53 pm
	3362	Rayford Wilkins	March 4 2011, 3:56 pm		3424	Randall Stephenson	March 4 2011, 5:11 pm
	3363 *	Wayne Watts	March 4 2011, 4:01 pm		3425	Randall Stephenson	March 4 2011, 5:14 pm
	3364 *	Ralph Delavega	March 4 2011, 4:01 pm		3426	Randall Stephenson	March 4 2011, 5:35 pm
	3365 *	Wayne Watts	March 4 2011, 4:04 pm		3427	Randall Stephenson	March 4 2011, 5:37 pm
	3366	Drucilla Cessac	March 4 2011, 4:06 pm		3428	Randall Stephenson	March 4 2011, 5:37 pm
	3367	Drucilla Cessac	March 4 2011, 4:07 pm		3429	Randall Stephenson	March 4 2011, 5:38 pm
	3368	Drucilla Cessac	March 4 2011, 4:09 pm		3430	Randall Stephenson	March 4 2011, 5:38 pm
	3369	Jeff Fancher	March 4 2011, 4:10 pm		3431	Randall Stephenson	March 4 2011, 8:40 pm
	3370	Randall Stephenson	March 4 2011, 4:11 pm		3432	Randall Stephenson	March 4 2011, 8:43 pm
	3371	Randall Stephenson	March 4 2011, 4:11 pm		3433	Randall Stephenson	March 4 2011, 8:43 pm
	3372	Drucilla Cessac	March 4 2011, 4:12 pm		3434	Randall Stephenson	March 5 2011, 1:45 pm
	3373	Randall Stephenson	March 4 2011, 4:12 pm		3435	Randall Stephenson	March 5 2011, 1:51 pm
	3374	Randall Stephenson	March 4 2011, 4:12 pm		3436	Randall Stephenson	March 5 2011, 1:52 pm
	3375	Randall Stephenson	March 4 2011, 4:13 pm		3437	Randall Stephenson	March 5 2011, 1:57 pm
	3376	Randall Stephenson	March 4 2011, 4:13 pm		3438	Randall Stephenson	March 5 2011, 1:59 pm
	3377	Randall Stephenson	March 4 2011, 4:15 pm		3439	Randall Stephenson	March 5 2011, 2:00 pm
	3378	Randall Stephenson	March 4 2011, 4:15 pm		3440	Joseph Parsons	March 5 2011, 3:42 pm
	3379 *	John Stankey	March 4 2011, 4:16 pm		3441	Rayford Wilkins	March 5 2011, 4:30 pm
	3380	Randall Stephenson	March 4 2011, 4:16 pm		3442	Wayne Watts	March 5 2011, 5:19 pm
	3381	Randall Stephenson	March 4 2011, 4:16 pm		3443	Randall Stephenson	March 5 2011, 6:09 pm
	3382	Randall Stephenson	March 4 2011, 4:17 pm		3444	Randall Stephenson	March 5 2011, 6:14 pm
	3383	Randall Stephenson	March 4 2011, 4:17 pm		3445	Randall Stephenson	March 5 2011, 6:14 pm
	3384 *	Wayne Watts	March 4 2011, 4:19 pm		3446	Randall Stephenson	March 5 2011, 6:29 pm
	3385	Ralph Delavega	March 4 2011, 4:19 pm		3447 *	Wayne Watts	March 5 2011, 9:06 pm
	3386 *	Wayne Watts	March 4 2011, 4:20 pm		3448 *	Randall Stephenson	March 5 2011, 10:53 pm
	3387 *	Ralph Delavega	March 4 2011, 4:20 pm		3449	Randall Stephenson	March 6 2011, 1:19 pm
	3388	Randall Stephenson	March 4 2011, 4:22 pm		3450	Randall Stephenson	March 6 2011, 1:19 pm
	3389	Randall Stephenson	March 4 2011, 4:23 pm		3451	Randall Stephenson	March 6 2011, 1:20 pm
	3390	Randall Stephenson	March 4 2011, 4:23 pm		3452	Randall Stephenson	March 6 2011, 1:20 pm
	3391 *	Ralph Delavega	March 4 2011, 4:25 pm		3453	Randall Stephenson	March 6 2011, 1:22 pm
	3392	Randall Stephenson	March 4 2011, 4:27 pm		3454	Randall Stephenson	March 6 2011, 1:30 pm
	3393 *	Wayne Watts	March 4 2011, 4:28 pm		3455	Catherine Coughlin	March 6 2011, 2:54 pm
	3394	Randall Stephenson	March 4 2011, 4:33 pm		3456	Brooks Mccorcle	March 6 2011, 4:12 pm
	3395	Randall Stephenson	March 4 2011, 4:33 pm		3457	Brooks Mccorcle	March 6 2011, 4:12 pm
	3396	Randall Stephenson	March 4 2011, 4:33 pm		3458	Brooks Mccorcle	March 6 2011, 4:12 pm
	3397	Randall Stephenson	March 4 2011, 4:33 pm		3459	Brooks Mccorcle	March 6 2011, 4:15 pm
	3398	Randall Stephenson	March 4 2011, 4:34 pm		3460	Brooks Mccorcle	March 6 2011, 4:15 pm
	3399 *	Wayne Watts	March 4 2011, 4:35 pm		3461	Brooks Mccorcle	March 6 2011, 4:25 pm
	3400	Randall Stephenson	March 4 2011, 4:36 pm		3462	Brooks Mccorcle	March 6 2011, 4:25 pm
	3401	Randall Stephenson	March 4 2011, 4:37 pm		3463	Brooks Mccorcle	March 6 2011, 4:25 pm
	3402	Ralph Delavega	March 4 2011, 4:42 pm		3464	Brooks Mccorcle	March 6 2011, 5:49 pm
	3403	Randall Stephenson	March 4 2011, 4:42 pm		3465	Randall Stephenson	March 6 2011, 7:05 pm
	3404	Randall Stephenson	March 4 2011, 4:42 pm		3466	Randall Stephenson	March 6 2011, 7:05 pm
	3405	Ralph Delavega	March 4 2011, 4:43 pm		3467	Christopher Womack	March 7 2011, 6:47 am
	3406	Ralph Delavega	March 4 2011, 4:43 pm		3468	Wayne Watts	March 7 2011, 7:11 am
	3407	Ralph Delavega	March 4 2011, 4:43 pm		3469	Wayne Watts	March 7 2011, 7:12 am
	3408	Ralph Delavega	March 4 2011, 4:43 pm		3470	Ralph Delavega	March 7 2011, 7:13 am
	3409	Wayne Watts	March 4 2011, 4:43 pm		3471	Ralph Delavega	March 7 2011, 7:13 am
	3410 *	Wayne Watts	March 4 2011, 4:44 pm		3472	Randall Stephenson	March 7 2011, 7:16 am

**Documented ATT Employees email open and internal email communication with other ATT employees about the Claimant**

AT&T				AT&T			
<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>	<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>
	3473	Randall Stephenson	March 7 2011, 7:16 am		3535	Randall Stephenson	March 7 2011, 9:51 am
	3474	Randall Stephenson	March 7 2011, 7:20 am		3536	Randall Stephenson	March 7 2011, 9:51 am
	3475 *	John Stankey	March 7 2011, 7:24 am		3537	Randall Stephenson	March 7 2011, 9:51 am
	3476 *	John Stankey	March 7 2011, 7:24 am		3538	Randall Stephenson	March 7 2011, 9:52 am
	3477 *	John Stankey	March 7 2011, 7:24 am		3539	Randall Stephenson	March 7 2011, 9:52 am
	3478	Ralph Delavega	March 7 2011, 7:24 am		3540	Randall Stephenson	March 7 2011, 9:52 am
	3479	Randall Stephenson	March 7 2011, 7:31 am		3541	Randall Stephenson	March 7 2011, 9:53 am
	3480	Brooks Mccorcle	March 7 2011, 7:35 am		3542	Randall Stephenson	March 7 2011, 9:53 am
	3481	Randall Stephenson	March 7 2011, 7:49 am		3543	Randall Stephenson	March 7 2011, 9:53 am
	3482	Randall Stephenson	March 7 2011, 7:49 am		3544	Randall Stephenson	March 7 2011, 9:54 am
	3483	Randall Stephenson	March 7 2011, 7:50 am		3545	Randall Stephenson	March 7 2011, 9:54 am
	3484	Randall Stephenson	March 7 2011, 7:51 am		3546	Randall Stephenson	March 7 2011, 9:54 am
	3485	Randall Stephenson	March 7 2011, 7:51 am		3547	Randall Stephenson	March 7 2011, 9:55 am
	3486	Randall Stephenson	March 7 2011, 8:02 am		3548	Randall Stephenson	March 7 2011, 9:55 am
	3487	Randall Stephenson	March 7 2011, 8:02 am		3549	Randall Stephenson	March 7 2011, 9:57 am
	3488	Rayford Wilkins	March 7 2011, 8:04 am		3550	Randall Stephenson	March 7 2011, 9:57 am
	3489	Rayford Wilkins	March 7 2011, 8:04 am		3551	Randall Stephenson	March 7 2011, 9:58 am
	3490	Randall Stephenson	March 7 2011, 8:04 am		3552	Randall Stephenson	March 7 2011, 9:59 am
	3491	Randall Stephenson	March 7 2011, 8:04 am		3553	Randall Stephenson	March 7 2011, 10:03 am
	3492	Rayford Wilkins	March 7 2011, 8:05 am		3554	Wayne Watts	March 7 2011, 10:05 am
	3493	Randall Stephenson	March 7 2011, 8:11 am		3555	Brooks Mccorcle	March 7 2011, 10:07 am
	3494	Randall Stephenson	March 7 2011, 8:40 am		3556	Randall Stephenson	March 7 2011, 10:07 am
	3495	Randall Stephenson	March 7 2011, 8:40 am		3557	Ralph Delavega	March 7 2011, 10:09 am
	3496	Randall Stephenson	March 7 2011, 8:43 am		3558	Randall Stephenson	March 7 2011, 10:12 am
	3497	Randall Stephenson	March 7 2011, 8:45 am		3559	Randall Stephenson	March 7 2011, 10:13 am
	3498	Randall Stephenson	March 7 2011, 8:45 am		3560	Wayne Watts	March 7 2011, 10:13 am
	3499	Randall Stephenson	March 7 2011, 8:49 am		3561	Randall Stephenson	March 7 2011, 10:14 am
	3500	Randall Stephenson	March 7 2011, 8:52 am		3562	Wayne Watts	March 7 2011, 10:14 am
	3501	Randall Stephenson	March 7 2011, 8:55 am		3563	Randall Stephenson	March 7 2011, 10:17 am
	3502	Randall Stephenson	March 7 2011, 9:20 am		3564	Randall Stephenson	March 7 2011, 10:20 am
	3503	Randall Stephenson	March 7 2011, 9:20 am		3565	John Stankey	March 7 2011, 10:22 am
	3504	Randall Stephenson	March 7 2011, 9:20 am		3566	Randall Stephenson	March 7 2011, 10:36 am
	3505	Randall Stephenson	March 7 2011, 9:20 am		3567	Randall Stephenson	March 7 2011, 10:37 am
	3506	Randall Stephenson	March 7 2011, 9:21 am		3568	John Stankey	March 7 2011, 10:43 am
	3507	Randall Stephenson	March 7 2011, 9:21 am		3569	Joseph Parsons	March 7 2011, 10:43 am
	3508	Randall Stephenson	March 7 2011, 9:21 am		3570	John Stankey	March 7 2011, 10:45 am
	3509	Randall Stephenson	March 7 2011, 9:21 am		3571	Brooks Mccorcle	March 7 2011, 11:21 am
	3510	Randall Stephenson	March 7 2011, 9:21 am		3572	Brooks Mccorcle	March 7 2011, 11:26 am
	3511	Randall Stephenson	March 7 2011, 9:21 am		3573	Brooks Mccorcle	March 7 2011, 11:29 am
	3512	Randall Stephenson	March 7 2011, 9:23 am		3574 *	John Stankey	March 7 2011, 11:32 am
	3513	Randall Stephenson	March 7 2011, 9:25 am		3575	Randall Stephenson	March 7 2011, 11:32 am
	3514	Randall Stephenson	March 7 2011, 9:27 am		3576	Randall Stephenson	March 7 2011, 11:32 am
	3515	Randall Stephenson	March 7 2011, 9:28 am		3577	Randall Stephenson	March 7 2011, 11:32 am
	3516	Randall Stephenson	March 7 2011, 9:29 am		3578	Randall Stephenson	March 7 2011, 11:32 am
	3517	Randall Stephenson	March 7 2011, 9:29 am		3579	Randall Stephenson	March 7 2011, 11:32 am
	3518	Randall Stephenson	March 7 2011, 9:29 am		3580	Randall Stephenson	March 7 2011, 11:35 am
	3519	Randall Stephenson	March 7 2011, 9:30 am		3581	Randall Stephenson	March 7 2011, 11:36 am
	3520	Randall Stephenson	March 7 2011, 9:31 am		3582	Randall Stephenson	March 7 2011, 11:37 am
	3521	Randall Stephenson	March 7 2011, 9:31 am		3583	Randall Stephenson	March 7 2011, 11:37 am
	3522	Randall Stephenson	March 7 2011, 9:33 am		3584	Randall Stephenson	March 7 2011, 11:37 am
	3523	Randall Stephenson	March 7 2011, 9:36 am		3585	Randall Stephenson	March 7 2011, 11:37 am
	3524	Randall Stephenson	March 7 2011, 9:42 am		3586	Randall Stephenson	March 7 2011, 11:37 am
	3525	Randall Stephenson	March 7 2011, 9:45 am		3587	Randall Stephenson	March 7 2011, 11:48 am
	3526	Randall Stephenson	March 7 2011, 9:45 am		3588	Randall Stephenson	March 7 2011, 11:48 am
	3527	Randall Stephenson	March 7 2011, 9:46 am		3589	Randall Stephenson	March 7 2011, 11:55 am
	3528	Randall Stephenson	March 7 2011, 9:47 am		3590	Randall Stephenson	March 7 2011, 11:56 am
	3529	Randall Stephenson	March 7 2011, 9:47 am		3591	Drucilla Cessac	March 7 2011, 11:58 am
	3530	Randall Stephenson	March 7 2011, 9:47 am		3592	Randall Stephenson	March 7 2011, 11:58 am
	3531	Randall Stephenson	March 7 2011, 9:47 am		3593 *	John Stankey	March 7 2011, 12:01 pm
	3532	Catherine Coughlin	March 7 2011, 9:48 am		3594	Randall Stephenson	March 7 2011, 12:09 pm
	3533	Randall Stephenson	March 7 2011, 9:49 am		3595	Randall Stephenson	March 7 2011, 12:09 pm
	3534	Randall Stephenson	March 7 2011, 9:51 am		3596	Randall Stephenson	March 7 2011, 12:09 pm

**Documented ATT Employees email open and internal email communication with other ATT employees about the Claimant**

AT&T				AT&T			
<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>	<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>
	3597	Randall Stephenson	March 7 2011, 12:12 pm		3659	Randall Stephenson	March 8 2011, 7:16 am
	3598	Randall Stephenson	March 7 2011, 12:13 pm		3660	Randall Stephenson	March 8 2011, 10:31 am
	3599	Randall Stephenson	March 7 2011, 12:29 pm		3661	Randall Stephenson	March 8 2011, 10:31 am
	3600	Randall Stephenson	March 7 2011, 12:29 pm		3662	Randall Stephenson	March 8 2011, 10:31 am
	3601	Randall Stephenson	March 7 2011, 12:30 pm		3663 *	John Stankey	March 8 2011, 10:32 am
	3602	Randall Stephenson	March 7 2011, 12:34 pm		3664 *	John Stankey	March 8 2011, 10:32 am
	3603	Randall Stephenson	March 7 2011, 12:49 pm		3665	Randall Stephenson	March 8 2011, 10:33 am
	3604	Randall Stephenson	March 7 2011, 12:49 pm		3666	Randall Stephenson	March 8 2011, 10:33 am
	3605	Randall Stephenson	March 7 2011, 12:49 pm		3667	Randall Stephenson	March 8 2011, 10:35 am
	3606	Randall Stephenson	March 7 2011, 12:49 pm		3668 *	Catherine Coughlin	March 8 2011, 11:10 am
	3607	Randall Stephenson	March 7 2011, 12:51 pm		3669	Randall Stephenson	March 8 2011, 11:13 am
	3608	Ralph Delavega	March 7 2011, 12:54 pm		3670	Wayne Watts	March 8 2011, 3:53 pm
	3609	Randall Stephenson	March 7 2011, 12:54 pm		3671 *	John Stankey	March 9 2011, 9:03 am
	3610	Randall Stephenson	March 7 2011, 12:55 pm		3672 *	John Stankey	March 9 2011, 9:04 am
	3611	Randall Stephenson	March 7 2011, 12:55 pm		3673	Randall Stephenson	March 10 2011, 12:32 pm
	3612	Randall Stephenson	March 7 2011, 12:57 pm		3674	Randall Stephenson	March 10 2011, 12:34 pm
	3613	Randall Stephenson	March 7 2011, 12:57 pm		3675	Randall Stephenson	March 11 2011, 10:10 am
	3614	Randall Stephenson	March 7 2011, 12:57 pm		3676	Randall Stephenson	March 11 2011, 3:32 pm
	3615	Randall Stephenson	March 7 2011, 12:57 pm		3677	Randall Stephenson	March 11 2011, 3:32 pm
	3616	Randall Stephenson	March 7 2011, 12:58 pm		3678 *	Catherine Coughlin	March 11 2011, 5:00 pm
	3617	Randall Stephenson	March 7 2011, 1:03 pm		3679	William Blase	March 14 2011, 11:06 am
	3618	Randall Stephenson	March 7 2011, 1:06 pm		3680 *	Wayne Watts	March 14 2011, 3:03 pm
	3619 *	Wayne Watts	March 7 2011, 1:15 pm		3681 *	Wayne Watts	March 14 2011, 9:24 pm
	3620 *	Ralph Delavega	March 7 2011, 1:15 pm		3682	Randall Stephenson	March 15 2011, 11:53 am
	3621 *	Ralph Delavega	March 7 2011, 1:21 pm		3683	Randall Stephenson	March 15 2011, 11:53 am
	3622 *	Ralph Delavega	March 7 2011, 1:21 pm		3684	Randall Stephenson	March 15 2011, 1:04 pm
	3623	Ralph Delavega	March 7 2011, 1:40 pm		3685	Randall Stephenson	March 15 2011, 1:23 pm
	3624	Ralph Delavega	March 7 2011, 1:40 pm		3686	Randall Stephenson	March 15 2011, 1:23 pm
	3625	Ralph Delavega	March 7 2011, 1:40 pm		3687	Randall Stephenson	March 15 2011, 1:23 pm
	3626	Ralph Delavega	March 7 2011, 1:40 pm		3688	Randall Stephenson	March 15 2011, 1:23 pm
	3627	Ralph Delavega	March 7 2011, 1:40 pm		3689	Randall Stephenson	March 15 2011, 1:23 pm
	3628	Wayne Watts	March 7 2011, 1:40 pm		3690	Randall Stephenson	March 15 2011, 1:23 pm
	3629	Wayne Watts	March 7 2011, 1:40 pm		3691	Randall Stephenson	March 15 2011, 1:24 pm
	3630	Ralph Delavega	March 7 2011, 1:40 pm		3692 *	Catherine Coughlin	March 16 2011, 12:48 pm
	3631 *	John Stankey	March 7 2011, 1:44 pm		3693 *	Wayne Watts	March 17 2011, 9:05 am
	3632 *	John Stankey	March 7 2011, 1:44 pm		3694 *	John Stankey	March 17 2011, 10:46 am
	3633	Ralph Delavega	March 7 2011, 1:44 pm		3695	John Stankey	March 17 2011, 2:28 pm
	3634	Wayne Watts	March 7 2011, 1:44 pm		3696	Randall Stephenson	March 21 2011, 11:47 am
	3635	Rayford Wilkins	March 7 2011, 1:44 pm		3697	Randall Stephenson	March 22 2011, 11:31 am
	3636	Rayford Wilkins	March 7 2011, 1:44 pm		3698	Brooks Mccorcle	April 11 2011, 6:13 am
	3637	Ralph Delavega	March 7 2011, 1:45 pm		3699	Christopher Womack	April 11 2011, 6:21 am
	3638	Ralph Delavega	March 7 2011, 1:45 pm		3700	Wayne Watts	April 11 2011, 6:44 am
	3639	Ralph Delavega	March 7 2011, 1:54 pm		3701	Wayne Watts	April 11 2011, 6:44 am
	3640	Ralph Delavega	March 7 2011, 1:54 pm		3702	Brooks Mccorcle	April 11 2011, 7:32 am
	3641	Ralph Delavega	March 7 2011, 1:54 pm		3703	Brooks Mccorcle	April 11 2011, 7:32 am
	3642	Randall Stephenson	March 7 2011, 1:57 pm		3704	Brooks Mccorcle	April 11 2011, 7:35 am
	3643	Ralph Delavega	March 7 2011, 2:01 pm		3705	Brooks Mccorcle	April 11 2011, 7:35 am
	3644	Rayford Wilkins	March 7 2011, 2:33 pm		3706	Brooks Mccorcle	April 11 2011, 7:35 am
	3645	Randall Stephenson	March 7 2011, 2:34 pm		3707	Brooks Mccorcle	April 11 2011, 7:36 am
	3646	Randall Stephenson	March 7 2011, 2:34 pm		3708	Rayford Wilkins	April 11 2011, 7:37 am
	3647	Randall Stephenson	March 7 2011, 2:35 pm		3709	Rayford Wilkins	April 11 2011, 7:37 am
	3648	Randall Stephenson	March 7 2011, 3:29 pm		3710	Brooks Mccorcle	April 11 2011, 7:38 am
	3649	Randall Stephenson	March 7 2011, 3:29 pm		3711	Wayne Watts	April 11 2011, 7:45 am
	3650	Randall Stephenson	March 7 2011, 3:34 pm		3712	Wayne Watts	April 11 2011, 7:45 am
	3651	John Stankey	March 7 2011, 3:49 pm		3713	Wayne Watts	April 11 2011, 7:46 am
	3652 *	John Stankey	March 7 2011, 4:13 pm		3714	Wayne Watts	April 11 2011, 7:46 am
	3653	William Blase	March 7 2011, 4:24 pm		3715	Brooks Mccorcle	April 11 2011, 7:46 am
	3654	William Blase	March 7 2011, 4:25 pm		3716	Wayne Watts	April 11 2011, 7:48 am
	3655	Randall Stephenson	March 7 2011, 5:43 pm		3717	Jeff Fancher	April 11 2011, 7:58 am
	3656	Wayne Watts	March 7 2011, 9:26 pm		3718	Brooks Mccorcle	April 11 2011, 7:58 am
	3657	Wayne Watts	March 7 2011, 9:26 pm		3719	Jeff Fancher	April 11 2011, 7:58 am
	3658	Randall Stephenson	March 8 2011, 7:16 am		3720	Brooks Mccorcle	April 11 2011, 8:17 am



**Documented ATT Employees email open and internal email communication with other ATT employees about the Claimant**

AT&T				AT&T			
<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>	<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>
	3721	Brooks Mccorcle	April 11 2011, 8:53 am		3783	Brooks Mccorcle	April 12 2011, 8:52 am
	3722	Brooks Mccorcle	April 11 2011, 8:53 am		3784	Brooks Mccorcle	April 12 2011, 8:52 am
	3723	Brooks Mccorcle	April 11 2011, 8:54 am		3785	Randall Stephenson	April 12 2011, 11:15 am
	3724	Brooks Mccorcle	April 11 2011, 8:54 am		3786	Randall Stephenson	April 12 2011, 11:15 am
	3725	Brooks Mccorcle	April 11 2011, 8:54 am		3787	Randall Stephenson	April 12 2011, 11:16 am
	3726	Brooks Mccorcle	April 11 2011, 8:55 am		3788	Randall Stephenson	April 12 2011, 11:16 am
	3727	Brooks Mccorcle	April 11 2011, 9:15 am		3789	Randall Stephenson	April 12 2011, 11:17 am
	3728	Brooks Mccorcle	April 11 2011, 9:16 am		3790	Randall Stephenson	April 12 2011, 11:17 am
	3729	Brooks Mccorcle	April 11 2011, 9:16 am		3791	Randall Stephenson	April 12 2011, 11:17 am
	3730	Brooks Mccorcle	April 11 2011, 9:17 am		3792	Randall Stephenson	April 12 2011, 11:17 am
	3731	Brooks Mccorcle	April 11 2011, 9:36 am		3793	Randall Stephenson	April 12 2011, 11:19 am
	3732	Brooks Mccorcle	April 11 2011, 9:37 am		3794 *	Randall Stephenson	April 12 2011, 11:56 am
	3733	Brooks Mccorcle	April 11 2011, 9:38 am		3795	Randall Stephenson	April 12 2011, 11:56 am
	3734	Brooks Mccorcle	April 11 2011, 9:38 am		3796	Randall Stephenson	April 12 2011, 11:56 am
	3735	Brooks Mccorcle	April 11 2011, 9:45 am		3797	Randall Stephenson	April 12 2011, 11:56 am
	3736	Brooks Mccorcle	April 11 2011, 9:45 am		3798	Randall Stephenson	April 12 2011, 11:56 am
	3737	Brooks Mccorcle	April 11 2011, 9:45 am		3799	Randall Stephenson	April 12 2011, 11:56 am
	3738	Brooks Mccorcle	April 11 2011, 9:45 am		3800	Randall Stephenson	April 12 2011, 11:56 am
	3739	Brooks Mccorcle	April 11 2011, 9:47 am		3801	Randall Stephenson	April 12 2011, 12:26 pm
	3740	Brooks Mccorcle	April 11 2011, 9:47 am		3802	Randall Stephenson	April 12 2011, 12:27 pm
	3741	Brooks Mccorcle	April 11 2011, 9:47 am		3803	Randall Stephenson	April 12 2011, 12:27 pm
	3742	Brooks Mccorcle	April 11 2011, 9:47 am		3804	Randall Stephenson	April 12 2011, 12:34 pm
	3743	Brooks Mccorcle	April 11 2011, 9:47 am		3805	Randall Stephenson	April 12 2011, 12:34 pm
	3744	Brooks Mccorcle	April 11 2011, 9:49 am		3806	Randall Stephenson	April 12 2011, 12:34 pm
	3745	Brooks Mccorcle	April 11 2011, 9:49 am		3807	Randall Stephenson	April 12 2011, 12:40 pm
	3746	Brooks Mccorcle	April 11 2011, 9:54 am		3808	Randall Stephenson	April 12 2011, 12:40 pm
	3747	Brooks Mccorcle	April 11 2011, 9:54 am		3809	Randall Stephenson	April 12 2011, 12:40 pm
	3748	Brooks Mccorcle	April 11 2011, 9:58 am		3810	Randall Stephenson	April 12 2011, 12:43 pm
	3749	Brooks Mccorcle	April 11 2011, 9:58 am		3811	Randall Stephenson	April 12 2011, 12:52 pm
	3750	Brooks Mccorcle	April 11 2011, 10:21 am		3812	Randall Stephenson	April 12 2011, 12:52 pm
	3751	Brooks Mccorcle	April 11 2011, 10:36 am		3813	Randall Stephenson	April 12 2011, 12:52 pm
	3752	Brooks Mccorcle	April 11 2011, 10:37 am		3814	Randall Stephenson	April 12 2011, 12:52 pm
	3753	Brooks Mccorcle	April 11 2011, 10:39 am		3815	Randall Stephenson	April 12 2011, 12:59 pm
	3754	Brooks Mccorcle	April 11 2011, 10:39 am		3816	Randall Stephenson	April 12 2011, 1:02 pm
	3755	Brooks Mccorcle	April 11 2011, 10:39 am		3817	Randall Stephenson	April 12 2011, 1:02 pm
	3756	Brooks Mccorcle	April 11 2011, 10:49 am		3818	Randall Stephenson	April 12 2011, 1:02 pm
	3757	Brooks Mccorcle	April 11 2011, 10:50 am		3819	Randall Stephenson	April 12 2011, 1:02 pm
	3758	Brooks Mccorcle	April 11 2011, 10:50 am		3820	Randall Stephenson	April 12 2011, 1:02 pm
	3759	Brooks Mccorcle	April 11 2011, 11:37 am		3821	Randall Stephenson	April 12 2011, 1:03 pm
	3760	Brooks Mccorcle	April 11 2011, 11:37 am		3822	Randall Stephenson	April 12 2011, 1:10 pm
	3761	Brooks Mccorcle	April 11 2011, 11:37 am		3823	Randall Stephenson	April 12 2011, 1:10 pm
	3762	Brooks Mccorcle	April 11 2011, 11:37 am		3824	Randall Stephenson	April 12 2011, 1:10 pm
	3763	Brooks Mccorcle	April 11 2011, 11:38 am		3825	Randall Stephenson	April 12 2011, 1:10 pm
	3764	Brooks Mccorcle	April 11 2011, 11:38 am		3826	Randall Stephenson	April 12 2011, 1:29 pm
	3765	Brooks Mccorcle	April 11 2011, 11:38 am		3827	Randall Stephenson	April 12 2011, 1:29 pm
	3766	Brooks Mccorcle	April 11 2011, 11:41 am		3828	Randall Stephenson	April 12 2011, 2:04 pm
	3767	Brooks Mccorcle	April 11 2011, 11:41 am		3829	Randall Stephenson	April 12 2011, 2:04 pm
	3768	Brooks Mccorcle	April 11 2011, 11:41 am		3830	Randall Stephenson	April 12 2011, 2:06 pm
	3769	Brooks Mccorcle	April 11 2011, 11:43 am		3831	Randall Stephenson	April 12 2011, 2:06 pm
	3770	Brooks Mccorcle	April 11 2011, 11:54 am		3832	Randall Stephenson	April 12 2011, 2:06 pm
	3771	Rayford Wilkins	April 11 2011, 12:01 pm		3833	Randall Stephenson	April 12 2011, 2:07 pm
	3772	Brooks Mccorcle	April 11 2011, 12:26 pm		3834	Randall Stephenson	April 12 2011, 2:07 pm
	3773	Brooks Mccorcle	April 11 2011, 2:37 pm		3835	Randall Stephenson	April 12 2011, 2:07 pm
	3774	Brooks Mccorcle	April 11 2011, 2:37 pm		3836	Randall Stephenson	April 12 2011, 2:08 pm
	3775	Brooks Mccorcle	April 11 2011, 2:37 pm		3837	Randall Stephenson	April 12 2011, 2:08 pm
	3776	Brooks Mccorcle	April 11 2011, 2:37 pm		3838	Randall Stephenson	April 12 2011, 2:08 pm
	3777	Brooks Mccorcle	April 11 2011, 3:10 pm		3839	Randall Stephenson	April 12 2011, 2:11 pm
	3778	Brooks Mccorcle	April 11 2011, 3:11 pm		3840	Randall Stephenson	April 12 2011, 2:11 pm
	3779	Brooks Mccorcle	April 11 2011, 3:31 pm		3841	Randall Stephenson	April 12 2011, 2:11 pm
	3780	Brooks Mccorcle	April 11 2011, 3:41 pm		3842	Randall Stephenson	April 12 2011, 2:12 pm
	3781	Brooks Mccorcle	April 11 2011, 3:57 pm		3843	Randall Stephenson	April 12 2011, 2:12 pm
	3782	Brooks Mccorcle	April 12 2011, 8:52 am		3844	Randall Stephenson	April 12 2011, 2:12 pm



**Documented ATT Employees email open and internal email communication with other ATT employees about the Claimant**

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**Documented ATT Employees email open and internal email communication with other ATT employees about the Claimant**

AT&T				AT&T			
<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>	<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>
	3969 *	Wayne Watts	April 13 2011, 1:36 pm		4031	Randall Stephenson	September 6 2011, 12:41 pm
	3970	Brooks Mccorcle	April 13 2011, 4:56 pm		4032	Randall Stephenson	September 6 2011, 12:42 pm
	3971	Randall Stephenson	April 14 2011, 5:56 pm		4033	Randall Stephenson	September 6 2011, 12:42 pm
	3972	Randall Stephenson	April 14 2011, 10:45 pm		4034	Randall Stephenson	September 6 2011, 12:54 pm
	3973	Randall Stephenson	April 14 2011, 11:17 pm		4035	Randall Stephenson	September 6 2011, 12:54 pm
	3974 *	Wayne Watts	April 18 2011, 9:25 am		4036	Randall Stephenson	September 6 2011, 12:55 pm
	3975 *	Wayne Watts	April 18 2011, 3:58 pm		4037	Randall Stephenson	September 6 2011, 12:55 pm
	3976	Randall Stephenson	April 19 2011, 9:39 am		4038	Randall Stephenson	September 6 2011, 1:02 pm
	3977	Wayne Watts	April 19 2011, 10:32 am		4039 *	Randall Stephenson	September 6 2011, 1:05 pm
	3978	Wayne Watts	April 19 2011, 10:32 am		4040 *	Randall Stephenson	September 6 2011, 1:05 pm
	3979	Randall Stephenson	April 19 2011, 11:41 am		4041	Randall Stephenson	September 6 2011, 1:05 pm
	3980	Brooks Mccorcle	April 19 2011, 4:17 pm		4042	Randall Stephenson	September 6 2011, 1:05 pm
	3981 *	Wayne Watts	April 22 2011, 2:00 pm		4043	Randall Stephenson	September 6 2011, 1:05 pm
	3982	Brooks Mccorcle	April 26 2011, 5:10 pm		4044	Randall Stephenson	September 6 2011, 1:05 pm
	3983	Randall Stephenson	April 28 2011, 10:33 am		4045	Randall Stephenson	September 6 2011, 1:06 pm
	3984	Randall Stephenson	April 28 2011, 10:33 am		4046	Randall Stephenson	September 6 2011, 1:06 pm
	3985	Randall Stephenson	April 28 2011, 10:33 am		4047	Randall Stephenson	September 6 2011, 1:07 pm
	3986	Randall Stephenson	May 12 2011, 11:45 am		4048	Randall Stephenson	September 6 2011, 1:08 pm
	3987	Randall Stephenson	May 13 2011, 4:09 pm		4049	Randall Stephenson	September 6 2011, 1:08 pm
	3988	Randall Stephenson	May 13 2011, 4:09 pm		4050	Randall Stephenson	September 6 2011, 1:08 pm
	3989	Randall Stephenson	May 17 2011, 11:37 am		4051	Randall Stephenson	September 6 2011, 1:08 pm
	3990	Randall Stephenson	May 19 2011, 9:25 am		4052	Randall Stephenson	September 6 2011, 1:08 pm
	3991	Randall Stephenson	May 19 2011, 9:26 am		4053	Randall Stephenson	September 6 2011, 1:08 pm
	3992	Randall Stephenson	May 19 2011, 11:33 am		4054	Randall Stephenson	September 6 2011, 1:08 pm
	3993	Randall Stephenson	May 19 2011, 1:04 pm		4055	Randall Stephenson	September 6 2011, 1:12 pm
	3994 *	Wayne Watts	May 19 2011, 10:14 pm		4056	Randall Stephenson	September 6 2011, 1:12 pm
	3995 *	Wayne Watts	May 26 2011, 10:40 pm		4057	Randall Stephenson	September 6 2011, 1:12 pm
	3996	Randall Stephenson	May 29 2011, 12:39 am		4058	Randall Stephenson	September 6 2011, 1:12 pm
	4006	Randall Stephenson	June 3 2011, 12:44 pm		4059	Randall Stephenson	September 6 2011, 1:12 pm
	4007 *	Wayne Watts	June 6 2011, 5:39 pm		4060	Randall Stephenson	September 6 2011, 1:13 pm
	4008 *	Wayne Watts	June 6 2011, 5:41 pm		4061	Randall Stephenson	September 6 2011, 1:20 pm
	3997	Brooks Mccorcle	June 14 2011, 6:24 am		4062	Randall Stephenson	September 6 2011, 1:27 pm
	3998	Randall Stephenson	June 15 2011, 11:08 am		4063	Randall Stephenson	September 6 2011, 1:27 pm
	3999	Rayford Wilkins	June 15 2011, 4:19 pm		4064	Randall Stephenson	September 6 2011, 1:27 pm
	4000	Rayford Wilkins	June 15 2011, 4:42 pm		4065	Randall Stephenson	September 6 2011, 1:28 pm
	4001	Rayford Wilkins	June 15 2011, 4:42 pm		4066	Randall Stephenson	September 6 2011, 1:28 pm
	4002	Rayford Wilkins	June 16 2011, 9:12 am		4067	Randall Stephenson	September 6 2011, 1:28 pm
	4003	Rayford Wilkins	June 16 2011, 9:12 am		4068	Randall Stephenson	September 6 2011, 1:28 pm
	4004	Randall Stephenson	June 20 2011, 9:06 am		4069	Randall Stephenson	September 6 2011, 1:29 pm
	4005 *	Wayne Watts	June 21 2011, 3:51 pm		4070	Randall Stephenson	September 6 2011, 1:30 pm
	4009	Randall Stephenson	July 11 2011, 1:50 pm		4071	Randall Stephenson	September 6 2011, 1:30 pm
	4010	Randall Stephenson	July 12 2011, 10:04 am		4072	Randall Stephenson	September 6 2011, 1:31 pm
	4011	Randall Stephenson	July 12 2011, 10:05 am		4073	Randall Stephenson	September 6 2011, 1:39 pm
	4012	Randall Stephenson	July 12 2011, 1:57 pm		4074	Randall Stephenson	September 6 2011, 1:39 pm
	4013	Randall Stephenson	July 20 2011, 11:29 am		4075	Randall Stephenson	September 6 2011, 1:43 pm
	4014	Randall Stephenson	July 20 2011, 11:29 am		4076	Randall Stephenson	September 6 2011, 1:43 pm
	4015	Randall Stephenson	July 6 2011, 10:07 am		4077	Randall Stephenson	September 6 2011, 1:47 pm
	4016	Randall Stephenson	August 16 2011, 3:34 pm		4078	Randall Stephenson	September 6 2011, 1:47 pm
	4017	Randall Stephenson	August 16 2011, 3:35 pm		4079	Randall Stephenson	September 6 2011, 1:47 pm
	4018	Randall Stephenson	August 16 2011, 3:36 pm		4080	Randall Stephenson	September 6 2011, 1:48 pm
	4019	Randall Stephenson	August 16 2011, 3:38 pm		4081	Randall Stephenson	September 6 2011, 1:48 pm
	4020 *	Wayne Watts	August 18 2011, 6:09 am		4082	Randall Stephenson	September 6 2011, 1:48 pm
	4021	Randall Stephenson	August 19 2011, 9:02 am		4083 *	John Stankey	September 6 2011, 1:59 pm
	4022	Randall Stephenson	September 6 2011, 12:30 pm		4084 *	John Stankey	September 6 2011, 1:59 pm
	4023	Randall Stephenson	September 6 2011, 12:30 pm		4085 *	John Stankey	September 6 2011, 2:00 pm
	4024	Randall Stephenson	September 6 2011, 12:30 pm		4086	Ralph Delavega	September 6 2011, 2:00 pm
	4025	Randall Stephenson	September 6 2011, 12:31 pm		4087	Randall Stephenson	September 6 2011, 2:02 pm
	4026	Randall Stephenson	September 6 2011, 12:39 pm		4088	Randall Stephenson	September 6 2011, 2:06 pm
	4027	Randall Stephenson	September 6 2011, 12:40 pm		4089	Randall Stephenson	September 6 2011, 2:08 pm
	4028	Randall Stephenson	September 6 2011, 12:40 pm		4090	Randall Stephenson	September 6 2011, 2:08 pm
	4029	Randall Stephenson	September 6 2011, 12:41 pm		4091	Brooks Mccorcle	September 6 2011, 2:14 pm
	4030	Randall Stephenson	September 6 2011, 12:41 pm		4092	Brooks Mccorcle	September 6 2011, 2:14 pm

**Documented ATT Employees email open and internal email communication with other ATT employees about the Claimant**

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**Documented ATT Employees email open and internal email communication with other ATT employees about the Claimant**

<b>AT&amp;T</b>				<b>AT&amp;T</b>			
<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>	<u>Discovery</u>	<u>Number</u>	<u>Name</u>	<u>Time &amp; Date Stamp</u>
	4217	Randall Stephenson	September 7 2011, 6:14 pm		4262	Randall Stephenson	October 18 2011, 8:49 am
	4218	Randall Stephenson	September 7 2011, 6:14 pm		4263 *	Wayne Watts	October 26 2011, 7:31 pm
	4219	Randall Stephenson	September 8 2011, 8:11 am		4264 *	Wayne Watts	October 26 2011, 7:31 pm
	4220	Randall Stephenson	September 8 2011, 8:11 am		4265 *	Wayne Watts	October 26 2011, 7:33 pm
	4221	Randall Stephenson	September 8 2011, 8:11 am		4266	Randall Stephenson	November 15 2011, 12:34 pm
	4222	Randall Stephenson	September 8 2011, 8:11 am		4267 *	Wayne Watts	November 17 2011, 1:46 pm
	4223	Randall Stephenson	September 8 2011, 8:11 am		4268	John Stankey	January 17 2012, 3:34 pm
	4224	Randall Stephenson	September 8 2011, 8:11 am		4269 *	John Stankey	February 8 2012, 8:16 am
	4225	Randall Stephenson	September 8 2011, 9:29 am		4270 *	John Stankey	February 8 2012, 8:16 am
	4226	Randall Stephenson	September 8 2011, 10:27 am		4271 *	John Stankey	February 8 2012, 8:16 am
	4227	Randall Stephenson	September 8 2011, 10:29 am		4272 *	John Stankey	February 8 2012, 8:16 am
	4228	Randall Stephenson	September 8 2011, 10:29 am		4273	Randall Stephenson	April 2 2012, 3:39 pm
	4229	Randall Stephenson	September 8 2011, 10:30 am		4274	Randall Stephenson	April 17 2012, 9:13 am
	4230	Randall Stephenson	September 8 2011, 10:30 am		4275 *	Wayne Watts	April 25 2012, 8:11 am
	4231	Randall Stephenson	September 8 2011, 10:30 am		4276 *	Wayne Watts	April 25 2012, 8:11 am
	4232	Randall Stephenson	September 8 2011, 10:31 am		4277	Randall Stephenson	June 6 2012, 3:24 pm
	4233	Randall Stephenson	September 8 2011, 2:13 pm		4278 *	Jeff Fancher	October 3 2012, 12:51 pm
	4234	Randall Stephenson	September 8 2011, 2:13 pm		4279 *	Wayne Watts	March 29 2013, 7:52 am
	4235	Randall Stephenson	September 8 2011, 2:20 pm		4280 *	John Stankey	March 29 2013, 7:58 am
	4236	Randall Stephenson	September 8 2011, 2:22 pm		4281 *	John Stankey	March 29 2013, 7:58 am
	4237	Randall Stephenson	September 8 2011, 2:22 pm				
	4238	Randall Stephenson	September 8 2011, 2:22 pm				
	4239 *	John Stankey	September 8 2011, 2:23 pm				
	4240 *	John Stankey	September 8 2011, 2:24 pm				
	4241 *	John Stankey	September 8 2011, 2:24 pm				
	4242 *	John Stankey	September 8 2011, 2:24 pm				
	4243 *	John Stankey	September 8 2011, 2:24 pm				
	4244	Ralph Delavega	September 8 2011, 2:24 pm				
	4245	Randall Stephenson	September 8 2011, 2:24 pm				
	4246	Randall Stephenson	September 8 2011, 2:24 pm				
	4247	Ralph Delavega	September 8 2011, 2:25 pm				
	4248 *	John Stankey	September 8 2011, 2:26 pm				
	4249 *	John Stankey	September 8 2011, 2:26 pm				
	4250 *	John Stankey	September 8 2011, 2:26 pm				
	4251 *	John Stankey	September 8 2011, 2:26 pm				
	4252	Randall Stephenson	September 8 2011, 2:49 pm				
	4253	Randall Stephenson	September 8 2011, 2:49 pm				
	4254	Randall Stephenson	September 8 2011, 2:49 pm				
	4255	Randall Stephenson	September 8 2011, 4:00 pm				
	4256	Randall Stephenson	September 8 2011, 4:48 pm				
	4257	Randall Stephenson	September 9 2011, 9:12 am				
	4258	Randall Stephenson	September 9 2011, 12:50 pm				
	4259	Randall Stephenson	September 9 2011, 12:59 pm				
	4260	Randall Stephenson	September 13 2011, 3:19 pm				
	4261	Randall Stephenson	September 19 2011, 12:01 pm				



Creation Date	TYPE	Category	Subscriber	Created By
06/15/2010 14:11:07	Expire SUB SOC	SUB	847-917-2384	9099615 - TRAVIS THA
System Text: Subscriber level SOC expired. SOC: MSG3. Expiration date: 06/15/2010.		User Text:		
06/15/2010 14:10:09	Upg Elg Check Result	SUB	847-744-5626	30145 - CLARIFY CRM
System Text: Equipment Upgrade Eligibility Check. Last Upg Date: 01/13/2009. Last Early Upg Date: None. USC: CFY.		User Text: Standard Upgrade: Result: Eligible. iPhone 3G Standard Upgrade: Result: Eligible.		
06/15/2010 14:06:33	Upg Elg Check Result	SUB	847-744-5626	30158 - IVR - API ID
System Text: Equipment Upgrade Eligibility Check. Last Upg Date: 01/13/2009. Last Early Upg Date: None. USC: CIV.		User Text: Standard Upgrade: Result: Not eligible. Reason: No Commitment Pricing. Future Elg Date: None.		
06/03/2010 14:49:56	CSM General	CSM	- -	1902048 - EDD API ID
System Text:		User Text: ADDRESS ALERT - PLEASE UPDATE BILLING ADDRESS DUE TO RETURNED MAIL. THIS IS AN AUTOMATED NOTE. THE WORKING USER ID IS :EDDSYSID		
06/03/2010 14:49:55	CSM General	CSM	- -	1902048 - EDD API ID
System Text:		User Text: ADDRESS ALERT - PLEASE UPDATE BILLING ADDRESS DUE TO RETURNED MAIL. THIS IS AN AUTOMATED NOTE. THE WORKING USER ID IS :EDDSYSID		
06/03/2010 14:49:55	CSM General	CSM	- -	1902048 - EDD API ID
System Text:		User Text: ADDRESS ALERT - PLEASE UPDATE BILLING ADDRESS DUE TO RETURNED MAIL. THIS IS AN AUTOMATED NOTE. THE WORKING USER ID IS :EDDSYSID		
06/03/2010 14:49:55	CSM General	CSM	- -	1902048 - EDD API ID
System Text:		User Text: ADDRESS ALERT - PLEASE UPDATE BILLING ADDRESS DUE TO RETURNED MAIL. THIS IS AN AUTOMATED NOTE. THE WORKING USER ID IS :EDDSYSID		
05/28/2010 09:13:39	Adjust BAN	FINN	- -	30004846 - NAYREE J
System Text: BAN adjusted. Amount: \$500.00. Reason: Courtesy Credit.		User Text: Customer accepted \$500 courtesy credit offered by DOSO T. Rudloff and VPGM D. Fine. Customer will be porting out. N. Jacob FSAM 8477852895		
05/25/2010 10:29:22	Escalated Call	CSM	847-744-5626	30004846 - NAYREE J
System Text:		User Text: Customer escalation to IL/WI Director of Sales Operations and VPGM (T. Rudloff & D. Fine) Customer was sent TTC's and CSS, offered a \$500 courtesy credit due to dispute check and time spent trying to resolve - Not Accepted. Offered customer to Port Out also not accepted. N. Jacob FSAM 8477852895		



**GREEN, THOMAS J (Legal)**

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**From:** FINE, DAVID B  
**Sent:** Tuesday, May 18, 2010 6:47 AM  
**To:** RUDLOFF, TROY  
**Cc:** JACOB, NAYREE Y  
**Subject:** Re: Mr. Chelmowski

Will do, we need to confirm the check was not cashed and calculate the amount with interest and penalties as if we were late to pay a bill.

Sent from my iPhone

On May 18, 2010, at 5:41 AM, "RUDLOFF, TROY (ATTCINW)" <[TR1483@att.com](mailto:TR1483@att.com)> wrote:

Good morning, Dave,

Please give me a call or drop me a line when you're free to call Mr. Chelmowski or good to go with me calling him back on the Ooma ports. I'm in the city this morning- meeting with a lawyer on our condo association later this morning.

Thank you.

Troy Rudloff  
IL/WI Sales Operations  
AT&T Mobility  
Ofc: 847-765-4695  
Mbl: 404-202-4161

## Exhibit G

Page G-0001 to 25 - Ms. Marlene H. Dortch, FCC Secretary on July 18, 2007 ORDER File No. EB-06-IH-2112  
Docket FCC 07-125

Page G-0026 to 29 - FCC Order DA 11-775 : Released: April 29, 2011 by Nancy Stevenson, Deputy Chief,  
FCC Consumer Policy Division stated in paragraph #4 failure to provide "proof of delivery is presumed to be a  
clear and convincing evidence of a violation (47 CFR 1.717)

Before the  
Federal Communications Commission  
Washington, D.C. 20554

MAILED  
JUL 23 2007

In the Matter of	)	
	)	
<b>PENDLETON C. WAUGH, CHARLES M. AUSTIN, and JAY R. BISHOP</b>	)	EB Docket No. 07-147
	)	
<b>PREFERRED COMMUNICATION SYSTEMS, INC.</b>	)	File No. EB-06-IH-2112
	)	NAL/Acct. No. 200732080025
	)	
Licensee of Various Site-by-Site Licenses in the Specialized Mobile Radio Service.	)	FRN No. 0003769049
	)	
<b>PREFERRED ACQUISITIONS, INC.</b>	)	FRN No. 0003786183

Licensee of Various Economic Area Licenses in the 800 MHz Specialized Mobile Radio Service

**ORDER TO SHOW CAUSE  
AND  
NOTICE OF OPPORTUNITY FOR HEARING**

**Adopted: July 18, 2007**

**Released: July 20, 2007**

By the Commission:

**I. INTRODUCTION**

1. By this *Order to Show Cause and Notice of Opportunity for Hearing* ("Order"), we commence a hearing proceeding before an administrative law judge to determine whether Pendleton C. Waugh ("Waugh"), Jay R. Bishop ("Bishop"), Charles M. Austin ("Austin"), and the entities they own and control, Preferred Communication Systems, Inc. ("PCSI"),<sup>1</sup> parent

<sup>1</sup> Preferred Communication Systems, Inc., is the licensee of the following Specialized Mobile Radio ("SMR"), site-by-site stations, which are the subject of this *Order to Show Cause and Notice of Opportunity for Hearing*: WPDU206 (Santurce, PR); WPDU210 (Santurce, PR); WPDU218 (Santurce, PR); WPDU222 (Santurce, PR); WPDU263 (Santurce, PR); WPDU266 (Santurce, PR); WPDU271 (Santurce, PR); WPDU275 (Santurce, PR); WPDU279 (Santurce, PR); WPDU287 (Santurce, PR); WPEF461 (Santurce, PR); WPEU434 (Santurce, PR); WPEX345 (Santurce, PR); WPEY418 (Santurce, PR); WPEY419 (Santurce, PR); WPEY421 (Santurce, PR); WPEY422 (Santurce, PR); WPEY423 (Santurce, PR); WPEY424 (Santurce, PR); WPEY425 (Santurce, PR); WPEY427 (Santurce, PR); WPEY429 (Santurce, PR); WPEY430 (Santurce, PR); WPEY431 (Santurce, PR); WPEY432 (Santurce, PR); WPEY445 (Santurce, PR); WPEY446 (San Juan, PR); WPEY447 (Santurce, PR); WPEY448 (Santurce, PR); WPEY450 (Santurce, PR); WPEY451 (Santurce, PR); WPEZ750 (Santurce, PR); WPFA265 (San Juan, PR); WPFA266 (Santurce, PR); WPFA268 (Santurce, PR); WPFA269 (Santurce, PR); WPFA270 (Santurce, PR); WPFA273 (Santurce, PR); WPFA278 (Santurce, PR); WPFA280 (Continued...)

company of Preferred Acquisitions, Inc. ("PAI") (collectively, "Preferred"),<sup>2</sup> licensee of the referenced stations, are qualified to be and remain Commission licensees. As discussed below, the record before us indicates that these individuals, two of whom are convicted felons, and the referenced entities, individually and collectively, among other things, apparently (1) failed to disclose a real-party-in-interest and engaged in unauthorized transfers of control of Commission licenses; (2) misrepresented material facts to the Commission; (3) lacked candor in their dealings with the Commission; (4) failed to disclose the involvement of convicted felons in ownership and control of the licenses; (5) failed to file required forms and information and respond fully to Enforcement Bureau letters of inquiry; and (6) discontinued operation of certain licenses. Evidence of such misconduct raises material and substantial questions requiring further inquiry at hearing as to whether the referenced licenses<sup>3</sup> should be revoked and whether forfeitures should issue against one or more of the persons and/or entities identified above.

(Continued from previous page.)

(Santurce, PR); WPF607 (Santurce, PR); WPF608 (Santurce, PR); WPF609 (Santurce, PR); WPF610 (Santurce, PR); WPF611 (Santurce, PR); WPF612 (Santurce, PR); WPF647 (Santurce, PR); WPF693 (Cayey, PR); WPF658 (no ULS address; coordinates 18-16-08.8 N, 066-04-00.5 W); WPF659 (Caguas, PR); WPF657 (Cayey, PR); WPF660 (San Juan, PR); WPF634 (Aguada, PR); WPF660 (Anasco, PR); WPF636 (Anasco, PR); WPF675 (Anasco, PR); WPF629 (Charlotte Amalie, VI); WPF646 (Saint Croix, VI); WPF656 (Saint Croix, VI); WPF634 (Saint Croix, VI); WPF635 (Saint Croix, VI); WPF635 (Aguada, PR); WPF656 (Aguada, PR); WPF657 (Saint Croix, VI); WPF639 (Charlotte Amalie, VI); WPF646 (Charlotte Amalie, VI); WPF647 (Saint Croix, VI); WPF698 (Charlotte Amalie, VI); WPF692 (Charlotte Amalie, VI); WPF684 (Mayaguez, PR); WPF697 (Mayaguez, PR); WPF685 (Mayaguez, PR); WPF686 (Mayaguez, PR); WPF687 (Mayaguez, PR); WPF688 (Mayaguez, PR); WPF689 (Mayaguez, PR); WPF685 (Mayaguez, PR); and WPF685 (Mayaguez, PR). Preferred originally acquired 86 licenses, as discussed *infra*, but 9 have since expired for lack of renewal.

<sup>2</sup> Preferred Acquisitions, Inc., is the licensee of the following SMR Economic Area ("EA") stations: WPR941 (BEA013 - Washington-Baltimore, DC-MD-VA-WV-PA); WPR942 (BEA015 - Richmond-Petersburg, VA); WPR943 (BEA016 - Staunton, VA-WV); WPR944 (BEA017 - Roanoke, VA-NC-WV); WPR945 (BEA048 - Charleston, WV-KY-OH); WPR946 (BEA164 - Sacramento-Yolo, CA); WPR947 (BEA165 - Redding, CA-OR); WPR948 (BEA174 - Puerto Rico and the U.S. Virgin Islands); WPR949 (BEA016 - Staunton, VA-WV); WPR950 (BEA017 - Roanoke, VA-NC-WV); WPR951 (BEA048 - Charleston, WV-KY-OH); WPR952 (BEA162 - Fresno, CA); WPR953 (BEA165 - Redding, CA-OR); WPR954 (BEA174 - Puerto Rico and the U.S. Virgin Islands); WPR955 (BEA016 - Staunton, VA-WV); WPR956 (BEA017 - Roanoke, VA-NC-WV); WPR957 (BEA048 - Charleston, WV-KY-OH); WPR958 (BEA162 - Fresno, CA); WPR959 (BEA163 - San Francisco-Oakland-San Jose, CA); WPR960 (BEA164 - Sacramento-Yolo, CA); WPR961 (BEA165 - Redding, CA-OR); WPR962 (BEA174 - Puerto Rico and the U.S. Virgin Islands); WPR963 (BEA013 - Washington-Baltimore, DC-MD-VA-WV-PA); WPR964 (BEA015 - Richmond-Petersburg, VA); WPR965 (BEA016 - Staunton, VA-WV); WPR966 (BEA017 - Roanoke, VA-NC-WV); WPR967 (BEA174 - Puerto Rico and the U.S. Virgin Islands); WPR968 (BEA013 - Washington-Baltimore, DC-MD-VA-WV-PA); WPR969 (BEA015 - Richmond-Petersburg, VA); WPR970 (BEA016 - Staunton, VA-WV); WPR971 (BEA017 - Roanoke, VA-NC-WV); WPR972 (BEA174 - Puerto Rico and the U.S. Virgin Islands); WPR973 (BEA013 - Washington-Baltimore, DC-MD-VA-WV-PA); WPR974 (BEA015 - Richmond-Petersburg, VA); WPR975 (BEA016 - Staunton, VA-WV); WPR976 (BEA017 - Roanoke, VA-NC-WV); WPR977 (BEA162 - Fresno, CA); and WPR978 (BEA164 - Sacramento-Yolo, CA).

<sup>3</sup> See licenses listed *supra*, note 1-2.

## II. BACKGROUND

### A. Pendleton C. Waugh

2. In 1990, Waugh, an attorney who was licensed to practice law in Texas, formed Express Communications, Inc. ("Express") and several affiliated entities, to acquire wireless licenses.<sup>4</sup> Waugh became president and was a majority owner of Express. In 1993, Waugh came under investigation by federal authorities for activities relating to his involvement in Express. As a result of that investigation, Waugh was indicted in 1994 in the United States District Court for the Northern District of Texas on one count of conspiracy to structure financial transactions to evade securities and banking reporting requirements and one count of money laundering, both felonies.<sup>5</sup> Waugh ultimately pled guilty to the first count, and the second count was dismissed.<sup>6</sup> In 1995, as a result of the plea agreement, Waugh was sentenced to 21 months in federal prison, followed by three years of probation, and payment of \$20,000 in fines.<sup>7</sup> As part of his plea agreement, Waugh agreed not to violate any federal, state, or local laws, and specifically regulations or orders issued by the United States Securities and Exchange Commission ("SEC") or any equivalent state agency. He also agreed to divest himself, without compensation, of any ownership interests in Express and its affiliated entities.

3. Thereafter, in 1997, the United States District Court for the District of Columbia granted the SEC summary judgment against Waugh for violations of various securities regulations stemming from his involvement in Express.<sup>8</sup> Waugh was ordered to pay the federal government nearly \$13 million of illegally acquired funds. He also was permanently enjoined from violating various securities laws.<sup>9</sup>

4. In 1999, Waugh was convicted of securities fraud, a felony, in a case brought by the State of Texas, arising from his failure, in 1993, to disclose to a potential investor that he was under investigation by federal authorities for activities relating to his involvement in Express.<sup>10</sup> Waugh was sentenced to four years in state prison, all of which were suspended pending

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<sup>4</sup> See *U.S. v. Waugh*, Indictment, Case No. 3:94-CR-160-T (N.D. Tex. May 11, 1994).

<sup>5</sup> See *id.*

<sup>6</sup> See *U.S. v. Waugh*, Plea Agreement, Case No. 3:94-CR-160-T (N.D. Tex. July 13, 1994).

<sup>7</sup> See *U.S. v. Waugh*, Judgment, Case No. 3:94-CR-160-T (N.D. Tex. Jan. 25, 1995).

<sup>8</sup> See *Securities and Exchange Commission v. Express Communications, Inc.*, Complaint by Securities and Exchange Commission, Case No. 95-CV-2268 (D.D.C. Dec. 13, 1995).

<sup>9</sup> See *Securities and Exchange Commission v. Express Communications, Inc.*, Revised Final Judgment of Permanent Injunction and Other Relief Against Defendant Pendleton C. Waugh, Case No. 95-CV-2268 (D.D.C. Mar. 7, 1997).

<sup>10</sup> See *Texas v. Waugh*, Judicial Confession and Consent to Stipulation of Evidence, Case No. F-9703517 (Crim. Dist. Ct. Dallas, TX Mar. 5, 1999).



successful completion of probation.<sup>11</sup> He also was ordered to pay \$72,000 in restitution and to complete 500 hours of community service.<sup>12</sup>

5. Later in 1999, Waugh was determined to have violated the terms of his parole from federal prison and his probation on his state conviction by traveling to Puerto Rico to engage in activities relating to cellular telephone securities.<sup>13</sup> As a result, Waugh was sentenced to six additional months in federal prison and four years in state prison.<sup>14</sup>

#### **B. Jay R. Bishop**

6. In the early 1990s, Bishop was one of three shareholders in Continental Wireless Cable Television, Inc. ("Continental"), a company that held itself out to investors as a business constructing cable systems. In 1994, as a result of the company's activities, the SEC filed an enforcement action against Continental for defrauding investors after the company raised approximately \$41 million from nearly 3,000 investors, only about 10 % of which was used for building cable systems.<sup>15</sup> The SEC obtained a restraining order against Continental, seized its assets, and froze its bank accounts and those of its principals. Continental was placed into involuntary receivership.<sup>16</sup>

7. In 2001, Bishop was convicted of two felonies in United States District Court for the Southern District of California for conspiracy to defraud the Internal Revenue Service and attempted tax evasion, relating to his personal and business tax returns in 1993 and 1994 as a shareholder in Continental.<sup>17</sup> Bishop was sentenced to 30 months in federal prison.<sup>18</sup>

#### **C. Charles M. Austin**

8. According to material provided by PCSI, during the 1990's, Austin served as Investment Representative of a wireless cable development company, American Wireless;

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<sup>11</sup> See *Texas v. Waugh*, Judgment, Case No. F-9703517 (Crim. Dist. Ct. Dallas, TX May 17, 1999).

<sup>12</sup> See *Texas v. Waugh*, Judgment, Case No. F-9703517 (Crim. Dist. Ct. Dallas, TX May 17, 1999).

<sup>13</sup> See *U.S. v. Waugh*, Judgment in a Criminal Case (For Revocation of Probation or Supervised Release), Case No. 3:94-CR-160-T (N.D. Tex. N.D. Tex. July 9, 1999).

<sup>14</sup> See *U.S. v. Waugh*, Order Granting in Part and Denying in Part Defendant's Motion to for Authorization to Travel, Case No. 3:94-CR-160-T (N.D. Tex. N.D. Tex. Aug. 26, 1996). In particular, the court noted that "[t]he probation office has informed the Court that Waugh may be engaged in calling and sending information to potential investors to solicit their money, in violation of a previous order of this Court." See *id.* See also *Texas v. Waugh*, Judgment Revoking Community Supervision, Case No. F-9703517 (Crim. Dist. Ct. Dallas, TX Jan. 11, 2001).

<sup>15</sup> See U.S. Securities and Exchange Commission, Continental Wireless Cable Television, at <http://sec.gov/divisions/enforce/claims/contwire.htm> (last visited May 24, 2007).

<sup>16</sup> *U.S. v. Bishop*, 291 F.3d 1100 (9<sup>th</sup> Cir. 2002).

<sup>17</sup> See *U.S. v. Bishop*, Judgment Including Sentence, Case No. 98CR3260-IEG (S.D. Cal. March 6, 2001), *affirmed*, *U.S. v. Bishop*, 291 F.3d 1100 (9<sup>th</sup> Cir. 2002), *cert. denied*, *Bishop v. U.S.*, 537 U.S. 1176 (2003).

<sup>18</sup> See *id.*

Investment Representative of an SMR development capital company, Walmac LLC; Vice-President of a wireless licensing and acquisitions company, Communications Equity Associates, L.L.C.; and President of an infomercial funding company, MediaResponse, LLC.<sup>19</sup> The record does not indicate that he has been convicted of any felonies.

#### D. Applications for Authorizations

9. In approximately 1997,<sup>20</sup> Waugh, Bishop, Austin and another individual, Charles Guskey,<sup>21</sup> formulated a business plan to acquire FCC wireless licenses and sell them for a profit. They created two corporations for this purpose: PCSI and a wholly-owned subsidiary, PAI.

10. In 1998, PCSI sought to acquire multiple SMR licenses stemming from the so-called "Goodman-Chan" proceeding and filed assignment applications from a variety of licensees.<sup>22</sup> In 1999, the Commission granted PCSI's applications, and PCSI became the licensee of 86 site-based SMR licenses located in the U.S. Virgin Islands and Puerto Rico.<sup>23</sup>

11. Thereafter, on July 17, 2000, PAI, PCSI's subsidiary, filed an application on FCC Form 175, Application to Participate in an FCC Auction ("Short Form"), to participate in Auction No. 34, in which the Commission intended to auction spectrum for the 800 MHz SMR service in the General Category Band (851 MHz to 854 MHz). In its Short Form, PAI represented that Austin held 100 % of PCSI's common shares. PAI also stated with respect to its parent company:

PCSI has agreed to issue additional shares that would dilute the ownership of Mr. Austin, conditioned upon receipt of prior FCC approval. PCSI expects to file an application seeking such FCC approval with respect to PCSI's incumbent 800 MHz licenses in the near future. However, as PCSI is contractually committed to seek such FCC approval, PCSI is providing the information herewith to show what the ownership would be on a fully diluted basis after a receipt of FCC approval and after conversion into equity of all existing convertible debt instruments.<sup>24</sup>

PAI then noted that the ownership would be diluted as follows: (1) Austin, 32.7 %; (2) Raymond A. Hebrank Irrevocable Voting Trust, 32.7 %; and (3) Bishop Irrevocable Voting Trust,

<sup>19</sup> See Second LOI Response at 16 and related exhibits.

<sup>20</sup> See Letter from Charles J. Ryan, III, Attorney at Law, to Dana Leavitt, Special Counsel, Investigations and Hearings Division, Enforcement Bureau, Federal Communications Commission, dated January 25, 2007, at 1, 13, 16 ("Second LOI Response").

<sup>21</sup> Charles Guskey, a former business colleague of Bishop, served as an outside accountant to Continental Wireless Cable Television, Inc.

<sup>22</sup> *Daniel R. Goodman, Receiver; Dr. Robert Chan, Petition for Waiver of Sections 90.633(c) and 1.1102 of the Commission's Rules*, Memorandum Opinion and Order and Order on Reconsideration, 13 FCC Rcd 21944 (1998); *pet. for review denied*, *Daniel Goodman v. FCC*, 182 F.3d 987 (D.C. Cir. 1999).

<sup>23</sup> See *Applications of Preferred Communication Systems, Inc.*, Order, 14 FCC Rcd 20,648 (WTB 1999).

<sup>24</sup> See *Preferred Acquisitions Inc.*, FCC Form 175, dated July 17, 2000, at Exhibit A, at 1 n.1 ("Form 175").

32.7 %.<sup>25</sup> Notably, PAI made no explicit reference in its Short Form to the involvement in the application, if any, by Waugh.

12. Auction No. 34 lasted from August to September 2000, during which time PAI was the successful bidder of 38 SMR Economic Area ("EA") licenses, located in California, Kentucky, Maryland, North Carolina, Ohio, Oregon, Pennsylvania, Puerto Rico, the U.S. Virgin Islands, Virginia, Washington, D.C., and West Virginia.<sup>26</sup>

13. On September 18, 2000, in further regard to its participation in Auction No. 34, PAI filed a FCC Form 602, FCC Ownership Disclosure Information for the Wireless Telecommunications Services Form ("Ownership Disclosure Form"), with the Commission.<sup>27</sup> Therein, PAI again identified Austin as holding 100 % of PCSI common shares. PAI did not specify any other person or entity holding disclosable interests.<sup>28</sup>

14. Following Auction No. 34, PAI filed an FCC Form 601, FCC Application for Wireless Telecommunications Bureau Radio Service Authorization ("Long Form"), to obtain the grant of its licenses.<sup>29</sup> In its application, PAI again identified Austin as holding 100 % interest in the applicant.<sup>30</sup> The Long Form, at page 2, required PAI to disclose the name of the real party in interest of the applicant, if different from the applicant.<sup>31</sup> PAI did not disclose the name of any other individual or entity.<sup>32</sup> In addition, at page 3 of the Long Form, the applicant was required to state whether "the applicant or any party to this application, or any party directly or indirectly controlling the applicant" has ever been "convicted of a felony by any state or federal court."<sup>33</sup> PAI responded in the negative.<sup>34</sup> The Long Form, at page 4, required PAI to certify that it "either (1) has current required ownership data on file with the Commission, (2) is filing updated ownership data simultaneously with this application, or (3) is not required to file ownership data

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<sup>25</sup> See *id.* at 1-2.

<sup>26</sup> See *Wireless Telecommunications Bureau Grants 800 MHz Specialized Mobile Radio (SMR) Service General Category (851-854 MHz) and Upper Band (861-865 MHz) Auction Licenses*, Public Notice, 16 FCC Rcd. 1427, 1429 (WTB 2000).

<sup>27</sup> See Preferred Acquisitions Inc., FCC Form 602, FCC Ownership Disclosure Information for the Wireless Telecommunications Services, Schedule for Disclosable Interest Holders, dated September 20, 2000.

<sup>28</sup> See *id.* at 1.

<sup>29</sup> See Preferred Acquisitions Inc., FCC Form 601, FCC Application for Wireless Telecommunications Bureau Radio Service Authorization, dated September 27, 2000.

<sup>30</sup> See Preferred Acquisitions Inc., FCC Form 601, FCC Application for Wireless Telecommunications Bureau Radio Service Authorization, dated September 27, 2000, at Exhibit A, at 2.

<sup>31</sup> See Preferred Acquisitions Inc., FCC Form 601, FCC Application for Wireless Telecommunications Bureau Radio Service Authorization, dated September 27, 2000, at 2.

<sup>32</sup> See *id.*

<sup>33</sup> *Id.* at 3.

<sup>34</sup> See *id.*

under the Commission's rules."<sup>35</sup> Austin executed the certification on behalf of PAI. PAI did not reference Waugh anywhere in its Long Form as having any attributable interest or involvement.

15. Under Section 90.685 of the Commission's Rules, PAI was required to provide coverage to at least two-thirds of the population of the service areas of each of the SMR stations for the licenses that it won at auction within five years of the grant of the initial licenses. In the alternative, Economic Area ("EA") licensees like PAI may provide substantial service to their markets within five years of the grant of their license.<sup>36</sup> PAI's five-year build-out deadline for its SMR licenses was December 20, 2005, but it failed to meet this deadline. Instead, PAI filed a waiver request on December 14, 2005 ("Waiver Request"), with the Wireless Telecommunications Bureau to waive the build-out deadline for all of its SMR licenses.<sup>37</sup> In requesting its waiver, PAI relied on the standard outlined in the Commission's ongoing 800 MHz rebanding proceeding.<sup>38</sup> The Commission recognized in this proceeding that some licensees might seek waivers of their construction deadlines prior to their being scheduled for relocation. The Commission stated that a licensee making such a request would be required to demonstrate "that it would have constructed but for the fact that band reconfiguration would affect its proposed facilities" and that it has commenced construction; for example, it "[has] on hand, or [has] placed a firm order for, non-frequency sensitive equipment, [has] erected a tower, obtained a commitment for tower space, etc."<sup>39</sup> In its Waiver Request, PAI represented to the Commission that it "has commenced construction . . . . It has the necessary frequency radio neutral equipment on hand or on firm order. It has the necessary commitments for tower site locations."<sup>40</sup> PAI also stated that, "[a]ll leases have been or will be executed by both parties as of December 20, 2005," in each of the EA's in which PAI's SMR licenses are located.<sup>41</sup> PAI's Waiver Request remains pending.

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<sup>35</sup> See *id.* at 4.

<sup>36</sup> 47 C.F.R. § 90.685(b).

<sup>37</sup> See Preferred Acquisitions Inc., FCC Form 601, FCC Application for Wireless Telecommunications Bureau Radio Service Authorization, dated December 14, 2005 ("Waiver Request"). PAI subsequently amended this filing on December 22, 2005.

<sup>38</sup> See *Improving Public Safety Communications in the 800 MHz Band, et al.*, Report and Order, Fifth Report and Order, Fourth Memorandum Opinion and Order, and Order, 19 FCC Rcd. 14969, 15079 ¶ 205 (2004) (800 MHz Rebanding R&O).

<sup>39</sup> See *id.*

<sup>40</sup> See Waiver Request at Exhibit 1 at 5.

<sup>41</sup> *Id.* at Declaration of Charles M. Austin, at 1-2 (containing the cited statement concerning efforts regarding preparation to meet construction deadlines on PAI's licenses in each of BEAs 13 (Washington/Baltimore), 15 (Richmond/Petersburg), 16 (Staunton), 17 (Roanoke), 48 (Charleston, WV), 162 (Fresno), 163 (San Francisco), 164 (Sacramento), 165 (Redding), and 174 (Puerto Rico and U.S. Virgin Islands)).

### E. Enforcement Bureau Investigation

16. On June 1, 2006, the Commission's Enforcement Bureau ("Bureau") received information suggesting that PCSI may have transferred control of all of its licenses<sup>42</sup> to Waugh without prior Commission authorization. The Bureau immediately commenced an investigation, and, on June 30, 2006, issued the first of two comprehensive letters of inquiry to PCSI.<sup>43</sup> The Bureau's First LOI directed PCSI to provide information and documents relating to its corporate composition as well as the nature and extent of Waugh's involvement in PCSI and control of its licenses. PCSI responded on July 27, 2006.<sup>44</sup>

17. In its response, PCSI described itself as an early stage company, stating that its "primary focus" has been to "secure funding to complete its acquisitions of licenses according to its business plan and to fund construction and operation of its facilities."<sup>45</sup> PCSI stated that financial difficulties "significantly impacted the Company's business plan," and complicated "use of the frequencies as intended by the Company . . . impairing its continued ability to raise the necessary capital . . ."<sup>46</sup>

18. Although the Bureau's First LOI directed PCSI to describe its corporate composition for each year beginning in 1998, PCSI provided information only for the year 1999. As of that year, PCSI described its corporate structure as follows: Austin, 77.78 % of voting stock, 54.97 % of total equity (including non-voting preferred stock); Gerald E. Setka, 19.9 % of voting stock, 14.09 % of total equity, including non-voting preferred stock; and Amide Pharmaceutical, Inc., 14.50 % of total equity of PCSI (all non-voting, preferred stock).<sup>47</sup> It is unclear during what time period beyond 1999, if any, that this corporate structure may have existed.

19. PCSI acknowledged in its First LOI Response that Waugh was and had been, since the inception of the company, involved in its operations.<sup>48</sup> PCSI maintained, however, that Waugh had not exercised control of PCSI. In this regard, PCSI claimed that that Waugh possessed no independent authority to act on PCSI's behalf, made no decisions on policy matters, had no firing or hiring authority over PCSI employees or outside consultants, and was not responsible for

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<sup>42</sup> As referenced elsewhere in this order, PCSI received 86 licenses through assignment, 9 of which have expired for failure to file a renewal, and its wholly owned subsidiary, PAI, acquired 38 licenses at auction. *See, supra*, notes 1-2.

<sup>43</sup> *See* Letter from William H. Davenport, Chief, Investigations and Hearings Division, Enforcement Bureau, to Charles M. Austin, President, Preferred Communication Systems, Inc., dated June 30, 2006 ("First LOI").

<sup>44</sup> *See* Letter from Paul C. Besozzi, Patton Boggs LLP, to Dana Leavitt, Investigations and Hearings Division, Enforcement Bureau, Federal Communications Commission, dated July 27, 2006 ("First LOI Response").

<sup>45</sup> *See id.* at 5.

<sup>46</sup> *See id.*

<sup>47</sup> *See id.* at 9-10.

<sup>48</sup> *See id.* at 23-25.



financing PCSI's operations.<sup>49</sup> PCSI further represented that Waugh did not share PCSI's profits and had no authority regarding PCSI's bank accounts.<sup>50</sup>

20. The documents that PCSI provided to the Commission in its First LOI Response suggested, however, that Waugh was more involved in PCSI than the company otherwise claimed in its narrative response. In this regard, PCSI provided approximately 2,000 pages of documents,<sup>51</sup> consisting primarily of e-mail exchanges between Austin and Waugh during the period from 2004 to 2006. The e-mails involved a variety of matters relating to the daily operations of PCSI. Specifically, they identified Waugh as having engaged, on behalf of PCSI, in recruiting, hiring, training, and supervising personnel, and procuring leases, office equipment, and other necessities for the day-to-day operation of PCSI's sales office in Escondido, California. Such e-mails and other correspondence also suggested that Waugh dealt extensively with outside counsel and other parties in negotiations on behalf of PCSI. Additionally, the documents provided by PCSI indicated that Waugh drafted filings on behalf of the company that were submitted to the Commission. The documents showed that Waugh drafted internal memoranda on PCSI goals. Further, the documents suggested that Waugh had actively solicited potential and current PCSI investors.

21. Documents that the Bureau independently gathered also suggest that Waugh had a more significant interest in PCSI (and, thus, in PAI) than PCSI had admitted in its First LOI Response. Among them is a copy of a stock certificate apparently indicating that 800,000 shares of PCSI stock had been transferred to Waugh through the Raymond A. Hebrank Irrevocable Voting Trust that PAI had referenced in its Short Form Application. Notably, the stock certificate was dated April 14, 2000, *after* PCSI acquired its 86 site-based SMR licenses, but *before* PAI filed its Short Form application to participate in Auction No. 34, in which it later acquired 38 EA SMR licenses.

22. Apparent inconsistent information about the extent and timing of Waugh's interests and involvement in PCSI raised several concerns: (1) whether control of PCSI (and the site-based SMR licenses that it held) was transferred to Waugh without prior Commission consent; (2) whether Waugh was an undisclosed real-party-in-interest in PAI (and in the EA SMR licenses that it acquired at auction); (3) whether PAI misrepresented material facts or lacked candor in its three auction filings (Short Form, Ownership Disclosure Form, and Long Form); and (4) whether PCSI had misrepresented material facts or lacked candor in its First LOI Response. Accordingly, the Bureau, on December 27, 2006, directed a second letter of inquiry to PCSI.<sup>52</sup> The Bureau

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<sup>49</sup> See *id.*

<sup>50</sup> See *id.*

<sup>51</sup> PCSI requested confidentiality for these documents. Pursuant to our confidentiality rules, we are giving the documents confidential treatment while its request is pending.

<sup>52</sup> See Letter from Hillary S. DeNigro, Chief, Investigations and Hearings Division, Enforcement Bureau, Federal Communications Commission, to Charles M. Austin, President, Preferred Communication Systems, Inc., dated December 27, 2006 ("Second LOI").

directed PCSI to provide an explanation regarding, among other things, Waugh's ownership interests in PCSI. PCSI responded to the Second LOI on January 25, 2007.<sup>53</sup>

23. In its Second LOI Response, PCSI acknowledged that Waugh was in fact the beneficiary of the Raymond A. Hebrank Irrevocable Voting Trust that PAI referenced in its Short Form application.<sup>54</sup> PCSI also conceded that Waugh was one of PCSI's founders.<sup>55</sup> Further, PCSI authenticated the copy of the referenced stock certificate, which, on its face, appeared to transfer 800,000 shares of PCSI voting stock to the Raymond A. Hebrank Irrevocable Voting Trust for Waugh's benefit.<sup>56</sup> PCSI claimed, however, that the stock certificate was ineffectual because it suffered from procedural defects, and it provided a copy of the same document with "VOID" handwritten across it. PCSI claimed that a transfer of ownership interests to Waugh never actually took place.<sup>57</sup>

24. PCSI also acknowledged in its Second LOI Response that Bishop, too, was a founder of PCSI, and that a voting trust was to be formed, pursuant to which PCSI would transfer shares to Bishop and his wife, Michelle, who served as PCSI's Secretary/Treasurer until 2001.<sup>58</sup> PCSI also stated that Bishop had worked for the company as a "consultant" from 1998-2001.<sup>59</sup>

25. The Bureau also directed PCSI to provide information about Gerald E. Setka; the company initially revealed Setka as an interest holder in PCSI in its First LOI Response. PCSI indicated that Setka had acquired his PCSI stock through investments in the company in 1998-1999.<sup>60</sup> PCSI explained that it did not disclose Setka's involvement in PAI's auction filings because "[b]y contract and agreement, Mr. Setka was to hold no more than a slightly over 5 %

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<sup>53</sup> See Letter from Charles J. Ryan, III, Attorney at Law, to Dana Leavitt, Special Counsel, Investigations and Hearings Division, Enforcement Bureau, Federal Communications Commission, dated January 25, 2007 ("Second LOI Response").

<sup>54</sup> See *id.* at 1-4.

<sup>55</sup> See *id.* at 7-8. Waugh's own affidavit submitted with the same response states that, although he was a member of the core group of PCSI, he was not a founding member. See *id.* at Affidavit of Pendleton C. Waugh, at 1.

<sup>56</sup> See *id.* at 1-4. When asked to state whether the stock certificate was a true and correct copy of a stock certificate signed by Michelle Bishop, PCSI's Secretary, and Austin, PCSI's President, issuing 800,000 shares of stock to the Hebrank voting trust held for the benefit of Waugh, PCSI responded "Yes, the document . . . is a Xerox copy of a copy of stock certificate C-17 from PCSI's corporate book." See *id.* at 1.

<sup>57</sup> PCSI denied that the trust documents were valid, citing procedural defects, such as a lack of a filing to obtain taxpayer identification number, lack of compensation from Waugh to his trustee, and lack of payment from Waugh to the trustee to tender to PCSI in exchange for the shares of stock. See *id.* at 1-4 & Exhibit marked Bates Stamp 00000.

<sup>58</sup> See Second LOI Response at 1-4, 7-8. PCSI's Second LOI Response stated, however, that the Bishop voting trust was never formed. See *id.* at 1-4.

<sup>59</sup> See *id.* at 26-29.

<sup>60</sup> See *id.*

ownership interest in Preferred.”<sup>61</sup> PCSI further stated that its calculation of Setka’s shares “did not reflect verbal agreements to issue shares to the Raymond A. Hebrank Voting Trust and the voting trust to be formed for the benefit of the Bishops.”<sup>62</sup>

26. In its Second LOI Response, PCSI also provided additional information, as directed by the Bureau, about the lease arrangements referenced by PAI in its Waiver Request for waiver of the five-year construction deadline for the 38 SMR EA licenses that PAI won at auction. Although PAI had affirmatively stated to the Commission in support of its Waiver Request that all tower site leases had been or would be executed by December 20, 2005, copies of leases that PCSI submitted in its Second LOI Response reveal that at least some of them were executed later than what PCSI had represented.<sup>63</sup>

27. The Bureau also directed PCSI to describe the circumstances under which Waugh became employed by the company as a consultant. PCSI explained that Austin hired Waugh as a consultant to aid PCSI in acquiring SMR licenses.<sup>64</sup> PCSI further stated that “[i]n exchange for providing consulting services based on his knowledge of the wireless industry and licensing in Puerto Rico, Mr. Austin agreed that Mr. Waugh would receive one-third of the profit from the sale of such licenses to Telecellular.”<sup>65</sup>

28. The Bureau also specifically directed PCSI to provide copies of tax returns for PCSI, Waugh, and Bishop, and criminal conviction and sentencing records for Waugh and Bishop. As with other material in response to the Bureau’s inquiries in this proceeding, such copies were due within 30 days of the Bureau’s second letter of inquiry. PCSI, however, provided no such information in its Second LOI Response. Instead, PCSI represented in its Second LOI Response that such information would be provided to the Bureau at a later date.<sup>66</sup> To date, PCSI still has not provided any of the required tax returns or criminal records.

29. PCSI’s responses to both LOIs also raised concerns regarding its use of the licenses for the purpose of raising capital, rather than operation. Independent investigation by the Bureau and the Wireless Telecommunications Bureau yielded the following information. Several tower operators in Puerto Rico and the U.S. Virgin Islands informed Commission staff during telephone conversations that PCSI was not a customer of any of the towers in those areas at least since December 2005, and possibly earlier. Further, PCSI’s own website related similar information, stating that “Preferred now is raising equity capital and arranging debt financing to launch a major ESMR system in Puerto Rico and the U.S. Virgin Islands and to construct networks in its other markets by satisfying Federal Communications Commission (‘FCC’) construction

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<sup>61</sup> See *id.* at 17.

<sup>62</sup> See *id.*

<sup>63</sup> The leases appear to have been executed on various dates in 2006. Furthermore, it appears from information gathered by the Bureau from other sources that PAI may be in default on a number of tower leases and that it may have allowed several leases which formed the basis for the Waiver Request to lapse.

<sup>64</sup> See Second LOI Response at 16.

<sup>65</sup> See *id.*

<sup>66</sup> See Second LOI Response at 42, 48.

standards.”<sup>67</sup> As a part of its business objectives, PCSI stated that it plans to “[p]rovide a full package of wireless voice and data services.”<sup>68</sup>

### III. DISCUSSION

30. The hearing proceeding will consider issues related to Preferred’s undisclosed real-party-in-interest and unauthorized transfer of control; Preferred’s misrepresentation and lack of candor; the criminal convictions of individuals who appear to be Preferred’s principals; Preferred’s failure to file required forms or information; whether PCSI failed to operate its licenses; and, the effect of all of these issues on Preferred’s qualifications to be and remain a Commission licensee. The hearing also will determine whether forfeitures and/or revocation of PAI’s licenses are warranted based on whether and which violations of the Commission’s rules are determined at hearing.

#### A. Undisclosed Real-Party-In-Interest and Unauthorized Transfer of Control

31. Section 1.2112 of the Commission’s Rules requires entities participating in FCC auctions to disclose the real party or parties in interest in the applicant or application, including a complete disclosure of the identity and relationship of those persons or entities directly or indirectly owning or controlling (or both) the applicant.<sup>69</sup> The record indicates that Waugh may have obtained 800,000 shares of stock in PCSI, of which PAI is a wholly-owned subsidiary, in April 2000, *prior to* PAI’s participation in Auction No. 34.<sup>70</sup> In addition, the documentary evidence indicates that Waugh may have been deeply involved in the day-to-day operations of PCSI.<sup>71</sup> Together, the evidence before us pertaining to Waugh’s ownership interest and personal involvement in company operations raises a material and substantial question of fact as to whether Waugh in fact controlled the company.<sup>72</sup> Based on such information, PAI may have been required

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<sup>67</sup> See Preferred Communication Systems Inc., Corporate Profile, at <http://www.precomsys.com/corporateprofile.html>, last visited 6/12/07.

<sup>68</sup> See *id.*

<sup>69</sup> See 47 C.F.R. § 1.2112.

<sup>70</sup> See paragraph 21, *supra*. The record contains conflicting evidence as to what percentage of outstanding PCSI stock shares Waugh would own if he, in fact, acquired 800,000 shares of PCSI stock. For example, PAI’s auction filings contemplate that PCSI would dilute Austin’s ownership and transfer 32.7% to Waugh. See Preferred Acquisitions Inc., FCC Form 175, dated July 17, 2000, at Exhibit A, at 1-2. However, PCSI also represented in its First LOI Response that Austin held 800,000 shares of PCSI stock as of 1999, and in its auction filings, PAI represented that Austin held 100% of outstanding PCSI stock. See Second LOI Response at 11; Preferred Acquisitions Inc., FCC Form 601, FCC Application for Wireless Telecommunications Bureau Radio Service Authorization, dated September 27, 2000, at Exhibit A, at 2. If Waugh acquired 800,000 shares before the auction filing representations were made, then his ownership interest could be equivalent to that of Austin by the time that PAI submitted its auction filings. See paragraphs 11-14 and 18-21, *supra*.

<sup>71</sup> See paragraph 20, *supra*.

<sup>72</sup> Under Commission precedent, the Commission examines the following factors to determine whether control over licenses rests with an entity other than the licensee: (a) does the licensee have unfettered use of all facilities and equipment; (b) who controls daily operations; (c) who determines and carries out policy decisions, including preparing and filing applications with the Commission; (d) who is in charge of (Continued...)



to disclose Waugh's interest in its Short Form, in its Ownership Disclosure Form, and in its Long Form applications. None of the applications, however, reveals any references by PAI to Waugh. Rather, PAI identified Austin as the sole (100 %) shareholder in the company in each of its filings.<sup>73</sup>

32. Evidence of Waugh's participation in PAI at the time PAI participated in Auction No. 34 raises material and significant questions of fact as to whether Waugh was an undisclosed real party in interest in PAI who, pursuant to Section 1.2112 of the Commission's Rules, should have been identified in applications filed in Auction No. 34. Accordingly, appropriate issues will be specified below for further inquiry at hearing.

33. The record before us also raises questions as to whether Waugh and/or Bishop may have acquired control of PCSI without prior Commission consent. Essentially, it appears from the stock certificate transferring 800,000 shares of stock to Waugh and documents independently gathered by the Bureau that the corporate structure of PCSI may have changed between the time that PCSI acquired its site-based SMR licenses via assignment in 1999 and when PAI bid on its EA SMR licenses at auction in 2000.<sup>74</sup> Additionally, in its responses to the Bureau's letters of inquiry, PCSI indicated that it also transferred shares of stock to Bishop and Setka. Together, these transfers of interests to Waugh, Bishop, and/or Setka may have had the consequence of effectuating a transfer of control of PCSI for which Commission approval would have been required under Section 310(d) of the Communications Act of 1934, as amended<sup>75</sup> and Section 1.948 of the Commission's Rules.<sup>76</sup> Questions about the corporate composition of PCSI and whether control of the company was transferred without prior Commission consent require further inquiry at hearing, as specified in the Ordering Clauses below.

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employment, supervision and dismissal of personnel; (e) who is in charge of the payment of financing obligations, including expenses arising out of operating; and (f) who receives monies and profits from the operation of the facilities. The Commission has also stated that "[o]wnership of the licensed facilities by someone other than the licensee is not necessarily inconsistent with these incidents of control. At a minimum, however, where ownership rests in hands other than those of the licensee, the maintenance and retention of the latter's exclusive right to operate must be clearly reflected." *See Marc Sobel*, Decision, 17 FCC Rcd 1872, 1877 (2002)(citing *Intermountain Microwave*, 24 RR 983, 984 (1963)).

<sup>73</sup> *See Preferred Acquisitions Inc.*, FCC Form 602, FCC Ownership Disclosure Information for the Wireless Telecommunications Services, Schedule for Disclosable Interest Holders, dated September 20, 2000, at 1; *Preferred Acquisitions Inc.*, FCC Form 601, FCC Application for Wireless Telecommunications Bureau Radio Service Authorization, dated September 27, 2000, at 2; *Preferred Acquisitions Inc.*, FCC Form 175, dated July 17, 2000, at Exhibit A, at 1-2. *See also* paragraphs 11-14, *supra*.

<sup>74</sup> Evidence concerning PCSI's corporate structure in 1999 has been gathered based on its LOI responses, whereas the evidence concerning its corporate structure in 2000 is being inferred from its auction applications and other evidence in the Bureau's possession, such as a stock certificate purporting to transfer 800,000 shares of PCSI stock to Waugh. *See* paragraphs 11-14 and 18, *supra*.

<sup>75</sup> *See* 47 U.S.C. § 310(d):

No construction permit or station license, or any rights thereunder, shall be transferred, assigned, or disposed of in any manner, voluntarily or involuntarily, directly or indirectly, or by transfer of control of any corporation holding such permit or license, to any person except upon application to the Commission and upon finding by the Commission that the public interest, convenience, and necessity will be served thereby.

<sup>76</sup> *See* 47 C.F.R. § 1.948.



## B. Misrepresentation and Lack of Candor

34. Section 1.17 of the Commission's Rules prohibits misrepresentations and lack of candor in Commission filings.<sup>77</sup> "The bedrock requirement for absolute truth and candor from a Commission licensee or from a licensee or applicant is, simply stated, this agency's *quintessential* regulatory demand."<sup>78</sup> Material misrepresentations to the Commission or an intentional lack of candor with respect to matters affecting an applicant's basic eligibility status are two species of misconduct that thoroughly disqualify applicants for the public trust embodied in a Commission license.<sup>79</sup> Where an applicant has knowingly attempted to mislead the Commission on an underlying matter of decisional import, complete disqualification of such an untrustworthy licensee or applicant has consistently resulted.<sup>80</sup> As the Court of Appeals for the D.C. Circuit stated:

[A]pplicants before the FCC are held to a high standard of candor and forthrightness. The Commission must license [thousands of] stations in the public interest, and therefore relies heavily on the completeness and accuracy of the submissions made to it . . . Thus, "applicants . . . have an affirmative duty to inform the Commission of the facts it needs in order to fulfill its statutory mandate."<sup>81</sup>

35. The Commission and the courts have recognized that "[t]he FCC relies heavily on the honesty and probity of its licensees in a regulatory system that is largely self-policing."<sup>82</sup> "Misrepresentation and lack of candor raise immediate concerns as to whether a licensee will be truthful in future dealings with the Commission."<sup>83</sup> Misrepresentation is "a false statement of fact made with intent to deceive."<sup>84</sup> Lack of candor is concealment, evasion, or other failure to be

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<sup>77</sup> See 47 C.F.R. § 1.17.

<sup>78</sup> *California Broadcasting Corporation*, 2 FCC Rcd 4175, 4177 (Rev. Bd. 1987) (italics in original).

<sup>79</sup> See, e.g., *RKO General, Inc. v. FCC*, 670 F.2d 215 (D.C. Cir. 1981); *WHW Enterprises, Inc. v. FCC*, 753 F.2d 1132 (D.C. Cir. 1985); *Sea Island Broadcasting Corp. of S.C. v. FCC*, 627 F.2d 240 (D.C. Cir. 1980); *FCC v. WOKO*, 329 U.S. 223 (1946).

<sup>80</sup> See, e.g., *Contemporary Media, Inc.*, 13 FCC Rcd 14,437 (1998); *Catoctin Broadcasting Corp. of New York*, 2 FCC Rcd 2126, 2136-38 (Rev. Bd. 1987); *TeleSTAR, Inc.*, 2 FCC Rcd 5 (Rev. Bd. 1987); *Mid-Ohio Communications, Inc.*, 104 FCC 2d 572 (Rev. Bd. 1986); *Bellingham Television Associates, Ltd.*, 103 FCC 2d 222 (Rev. Bd. 1986).

<sup>81</sup> See *WHW Enterprises*, 753 F.2d at 1139 (internal citations omitted).

<sup>82</sup> See *Contemporary Media, Inc. v. FCC*, 214 F.3d 187, 193 (D.C. Cir. 2000) (*Contemporary Media*)).

<sup>83</sup> *Policy Regarding Character Qualifications in Broadcast Licensing*, Report, Order, and Policy Statement, 102 FCC 2d 1179, 1210-11 ¶ 60 (1986)).

<sup>84</sup> *Fox River Broadcasting, Inc.*, Order, 93 F.C.C. 2d 127, 129 (1983) (*Fox River Order*). A false certification may also constitute a misrepresentation. *San Francisco Unified School District*, Hearing (Continued...)

fully informative, accompanied by intent to deceive.<sup>85</sup> Intent to deceive is established if a licensee knowingly makes a false statement,<sup>86</sup> and can also be inferred when the surrounding circumstances clearly show the existence of an intent to deceive.<sup>87</sup> The Commission may disqualify an applicant who deliberately makes misrepresentations or lacks candor in dealing with the agency.<sup>88</sup>

36. In the instant case, in each of its three Auction No. 34 filings (Short Form, Ownership Disclosure Form, and Long Form applications), PAI affirmatively represented to the Commission that Austin was the sole (100 %) shareholder in PCSI.<sup>89</sup> In its Long Form, when asked to disclose the identity of any real parties in interest in the applicant, PAI failed to name Waugh or anyone else.<sup>90</sup> Additionally, in the Long Form, when required to identify any party, directly or indirectly controlling the applicant who had ever been convicted of a felony, PAI affirmatively responded in the negative.<sup>91</sup> Finally, PAI certified to the veracity of all the information in each of its auction-related applications.

37. In contrast to these representations, the evidence before the Commission indicates that Waugh may have held an ownership interest in, and/or exercised control, of PCSI, PAI's parent company, before PAI filed even its first auction-related application. Contrary to PCSI's representations, among other things, the referenced stock certificate transferring 800,000 shares to Waugh, the two voting trusts for Waugh's benefit,<sup>92</sup> and numerous internal e-mails and correspondence provide convincing evidence that Waugh may have been far more than a minor player in the affairs of PCSI.

38. Moreover, it appears that PCSI had every reason to conceal Waugh's participation in the company from the Commission. As a convicted felon, Waugh's deep

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Designation Order and Notice of Apparent Liability for Forfeiture, 19 FCC Rcd 13326, 13334 ¶ 19 nn.40-41 (2004)(subsequent history omitted).

<sup>85</sup> An applicant has a duty to be candid with all facts and information before the Commission, regardless of whether that information was elicited. *See Fox River Order*, 93 F.C.C. 2d at 129 ¶ 6.

<sup>86</sup> *Leflore Broadcasting, Co., Inc. v. FCC*, 636 F.2d 454, 462 (D.C. Cir. 1980).

<sup>87</sup> *American International Development, Inc.*, Memorandum Opinion and Order, 86 FCC 2d 808, 816 n.39 (1981), *aff'd sub nom. KXIV, Inc. v. FCC*, 704 F.2d 1294 (D.C. Cir. 1983).

<sup>88</sup> *Contemporary Media*, 214 F.3d at 196.

<sup>89</sup> *See Preferred Acquisitions Inc.*, FCC Form 602, FCC Ownership Disclosure Information for the Wireless Telecommunications Services, Schedule for Disclosable Interest Holders, dated September 20, 2000, at 1; Preferred Acquisitions Inc., FCC Form 601, FCC Application for Wireless Telecommunications Bureau Radio Service Authorization, dated September 27, 2000, at 2; Preferred Acquisitions Inc., FCC Form 175, dated July 17, 2000, at Exhibit A, at 1-2. *See also* paragraphs 11-14, *supra*.

<sup>90</sup> *See Preferred Acquisitions Inc.*, FCC Form 601, FCC Application for Wireless Telecommunications Bureau Radio Service Authorization, dated September 27, 2000, at 2.

<sup>91</sup> *See id.* at 3.

<sup>92</sup> The original trust was dated April 14, 2000, and the amended trust was dated April 14, 2005.

involvement in PCSI could have jeopardized PAI's qualifications to participate in Auction No. 34. His status as a convicted felon also could have threatened PCSI's qualifications to retain its site-based SMR licenses.

39. PAI's pattern of deception apparently did not stop with the filing of its auction-related applications. PAI asserted in its Waiver Request of the construction deadlines for its auction-related EA SMR licenses, that it had secured lease commitments necessary to operate its licenses and that all leases would be executed by the time that the construction deadline applicable to those licenses would have lapsed absent a waiver, December 20, 2005.<sup>93</sup> The evidence before us, however, indicates that some of the leases were not executed until 2006.

40. PAI's intent to misrepresent its operational readiness to the Commission may be inferred because its Waiver Request would be subject to dismissal and its licenses, for which it had paid substantial sums of money at auction, could terminate automatically for failure to timely construct.<sup>94</sup> PAI clearly would not want to jeopardize its investment in its licenses.

41. More recently, PCSI also apparently continued its pattern of misinformation in its responses to official letters of inquiry from the Bureau. For example, in its First LOI Response, PCSI stated that Waugh had not exercised control of PCSI and that he had: no sharing of PCSI's profits, no firing or hiring authority over PCSI employees or outside consultants, no independent authority to act on PCSI's behalf, no decisional authority on policy matters, and no responsibility for financing PCSI's operations. Numerous e-mails and other correspondence independently gathered by the Bureau indicate, however, that Waugh's involvement in the daily operations of PCSI, and, by extension, PAI, was significant. In this regard, the evidence reveals that Waugh shared in PCSI's profits and was involved in: supervising, hiring, and firing of personnel; negotiating of agreements on behalf of PCSI; procuring office equipment and space; drafting of Preferred's filings before the Commission; and raising capital for the company. PCSI also continued to maintain in its Second LOI Response that Waugh had no ownership interest in PCSI and was not a major player in its affairs.

42. In sum, the record before us raises significant and material questions as to whether PCSI and PAI committed misrepresentations and/or lacked candor in its dealings with the Commission. Accordingly, appropriate issues will be specified below.

### C. Criminal Convictions

43. In assessing character qualifications, the Commission considers relevant "evidence of any conviction for misconduct constituting a felony."<sup>95</sup> The Commission has found that "[b]ecause all felonies are serious crimes, any conviction provides an indication of an applicant's or licensee's propensity to obey the law" and to conform to provisions of both the

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<sup>93</sup> See Waiver Request at Exhibit 1 at 5 and at Declaration of Charles M. Austin, at 1-2.

<sup>94</sup> 47 C.F.R. § 90.685(d). As discussed *infra*, note 125, PAI's Waiver Request may be subject to dismissal because it is indebted to the Commission.

<sup>95</sup> 1990 *Modifications of Character Policy Statement*, 5 FCC Rcd at 3252 ¶ 4. See, e.g., *Contemporary Media, Inc. v. FCC*, 214 F.3d 187, 193 (D.C. Cir. 2000) (Commission properly considered any felony conviction of broadcast licensee's principal as a relevant factor in evaluating propensity of licensee to obey the law).

Communications Act of 1934, as amended, and the agency's rules and policies.<sup>96</sup> Thus, felony convictions raise potential questions regarding a licensee's qualifications.

44. The record before us reveals that Waugh is now and was, at the time PCSI acquired its 86 site-based SMR licenses via assignment and PAI acquired its 38 EA SMR licenses at auction, a convicted felon. Waugh's felony convictions are particularly relevant to our consideration of his character (and the character of PCSI and PAI) because they involved elements of fraud. As such, they provide a reliable barometer as to whether Waugh and the entities he controls can be trusted to deal truthfully with the Commission in the future. Accordingly, an appropriate issue will be specified regarding the impact, if any, of Waugh's felony convictions on the qualifications of PCSI and PAI to be and remain Commission licensees.<sup>97</sup>

45. As discussed above, Bishop is also a convicted felon to whom PCSI transferred or contemplated transferring stock shares through a voting trust, and PAI highlighted this potential transfer in its auction applications.<sup>98</sup> Two voting trusts and a stock certificate indicate that a transfer of interest to Waugh may have taken place; in contrast, the record does not contain sufficient documentation to determine if Bishop formed a trust to receive the contemplated transfer of stock shares. Like Waugh, however, Bishop's felony convictions are particularly relevant to our consideration of his character (and the character of PCSI and PAI) because they involved elements of fraud. The fraud convictions are of particular relevance here because the underlying conduct involved seeking investors for a potential Commission licensee. Accordingly, an appropriate issue will be specified regarding the impact, if any, of Bishop's felony convictions on the qualifications of PCSI and PAI to be and remain Commission licensees.<sup>99</sup>

#### **D. Failure to File Required Forms or Information**

46. Under Commission precedent and Sections 4(i), 4(j), 218, 308, and 403 of the Communications Act of 1934, as amended, failure to respond appropriately to a Bureau letter of inquiry constitutes a violation of the Commission's Rules, potentially subjecting the party doing so to serious sanctions.<sup>100</sup> Section 1.65 of the Commission's Rules requires applicants to file substantial and significant changes in information furnished by applicants to the Commission within 30 days of such changes.<sup>101</sup>

47. The record indicates that PAI may have failed to update the Commission regarding substantial and significant changes in information it furnished as a part of its pending construction Waiver Request. In its Waiver Request, PAI represented that it has met operational

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<sup>96</sup> 1990 *Modifications of Character Policy Statement*, 5 FCC Rcd at 3252 ¶ 5. See also 47 U.S.C. § 312(a)(1) (authorizing license revocation "for false statements knowingly made either in the application or in any statement of fact which may be required pursuant to section 308").

<sup>97</sup> The facts of Waugh's felony convictions are *res judicata* and will not be retried in this hearing.

<sup>98</sup> See *Preferred Acquisitions Inc.*, FCC Form 175, dated July 17, 2000, at Exhibit A, at 1-2.

<sup>99</sup> The facts of Bishop's felony convictions are *res judicata* and will not be retried in this hearing.

<sup>100</sup> See *SBC Communications, Inc.*, Order of Forfeiture, 17 FCC Rcd. 7589 (2002); 47 U.S.C. §§ 154(i), 154(j), 218, 308, and 403.

<sup>101</sup> See 47 C.F.R. § 1.65.



benchmarks that would allow it to construct timely on its licenses but for the rebanding of the 800 MHz spectrum.<sup>102</sup> To that end, PAI represented that it has secured tower commitments and that all leases would be executed by December 20, 2005.<sup>103</sup> The information before us, however, suggests that some of the leases upon which PAI is relying in support of its Waiver Request may have lapsed. PAI is required to maintain the continuing accuracy of its Waiver Request, and its failure to inform the Commission of material changes therein is inconsistent with its obligations as a licensee and adversely affects the Commission's ability to determine whether grant of the Waiver Request would serve the public interest.

48. The record before us also reveals that PCSI failed to respond fully and completely in its Second LOI Response. The Bureau specifically directed PCSI to provide copies of tax returns for PCSI, Waugh, and Bishop, and criminal conviction and sentencing records for Waugh and Bishop. Such records were due within 30 days of the date of the letter of inquiry. PCSI, however, provided no such information in its Second LOI Response. Instead, PCSI represented in its Second LOI Response that such information would be provided to the Bureau at a later date.<sup>104</sup> To date, PCSI has not provided any of the required tax returns or criminal records.

49. PCSI's failure to maintain the continuing accuracy of the information in its Waiver Request and its failure to respond fully and completely to the Bureau's direction for information require further exploration at hearing, as specified in the Ordering Clauses below.

#### **E. Lack of Operation of PCSI Licenses**

50. Under Section 90.157 of the Commission's Rules, by operation of law, a wireless licensee's licenses cancel for discontinuation if the licensee has failed to operate its licenses for over one year and not obtained permission from the Commission to discontinue such operation.<sup>105</sup> PCSI's LOI responses indicated that when its founding members initially formed the idea of acquiring SMR licenses, their intention was to sell rather than operate them.<sup>106</sup> Information from several tower operators in Puerto Rico and the U.S. Virgin Islands indicates that PCSI ceased to be a customer of the tower operators since at least December 2005. PCSI's LOI responses and website indicated that it is currently in the business of raising capital, rather than operating its licenses.<sup>107</sup> The evidence suggests that PCSI has discontinued operation of its licenses for at least one year, without informing the Commission of its intent to do so. If it is determined that PCSI has not operated its licenses, then, by operation of law, the licenses shall cancel. Accordingly, issues will be specified below to determine whether, in fact, the licensee has permanently discontinued operation of its licenses for more than one year. If it is found that PCSI has done so, then the licenses shall automatically cancel. Therefore, as to this matter, the only issue for the Presiding Judge to determine is whether the licensee discontinued the operation of its licenses for more than one year. Whether the licenses shall cancel is a matter that follows as a function of law, and the

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<sup>102</sup> See Waiver Request at Exhibit 1, at 5, & at Declaration of Charles M. Austin, at 1-2.

<sup>103</sup> See *id.*

<sup>104</sup> See Second LOI Response at 42, 48.

<sup>105</sup> See 47 C.F.R. § 90.157.

<sup>106</sup> See, e.g., Second LOI Response at 16.

<sup>107</sup> See First LOI Response at 5; Preferred Communication Systems Inc., Corporate Profile, at <http://www.precomsys.com/corporateprofile.html>, last visited 6/12/07.



Presiding Judge may direct the Wireless Telecommunications Bureau to delete the cancelled call signs from its database.

#### F. Licensee Character

51. Section 312(a)(2) of the Act provides that the Commission may revoke any license or construction permit “because of conditions coming to the attention of the Commission which would warrant it in refusing to grant a license or permit on an original application.”<sup>108</sup> The character of the applicant is among those factors that the Commission considers in its review of applications to determine whether the applicant has the requisite qualifications to be a Commission licensee.<sup>109</sup>

52. The Commission takes licensee character qualifications very seriously. The extent of a licensee’s candor with the Commission and compliance with its rules are paramount concerns when determining whether such licensees should gain or continue to hold existing authorizations. Evidence in the record shows a disregard for the Commission’s rules by two experienced licensees<sup>110</sup> which includes: failure to disclose the real party in interest; unauthorized transfers of control; numerous misrepresentations; prior, undisclosed felony convictions of persons such as Bishop and Waugh holding ownership interests in a licensee entity; and failure to file required forms and information which would tend to disclose the ownership or control of such persons in the licensee entity. Such egregious misconduct could constitute a basis for serious sanctions such as revocation of licenses.<sup>111</sup> Considering the overall record, there remain genuine

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<sup>108</sup> 47 U.S.C. § 312(a)(2).

<sup>109</sup> See *Policy Regarding Character Qualifications in Broadcast Licensing, Amendment of Part 1, the Rules of Practice and Procedure, Relating to Written Responses to Commission Inquiries and the Making of Misrepresentation to the Commission by Applicants, Permittees, and Licensees, and the Reporting of Information Regarding Character Qualifications*, Policy Statement and Order, 5 FCC Rcd 3252, 3252 (1990) (“1990 Modifications of Character Policy Statement”), *recon. on other grounds*, 6 FCC Rcd 3448 (1991), *modified on other grounds*, 7 FCC Rcd 6564 (1992). The Commission has consistently applied these broadcast character standards to applicants and licensees in the other radio services. See, e.g., *Schoenbohm v. FCC*, 204 F.3d 243, 246-49 (D.C. Cir. 2000), *cert. denied*, 531 U.S. 968 (2000) (affirming the Commission’s denial of an amateur radio operator’s license renewal application based on the licensee’s felony conviction for fraudulently using counterfeit access codes to obtain long distance telephone services, as well as its lack of candor regarding such conviction); *Ronald Brasher et al.*, Decision, 19 FCC Rcd 18462 (2004) (affirming Administrative Law Judge’s Initial Decision revoking, denying, or dismissing licensees’ private land mobile radio licenses and applications based on the licensees’ misrepresentations and lack of candor, unauthorized transfers of control, and abuse of process).

<sup>110</sup> PCSI and PAI have held numerous Commission licenses for several years each and have actively engaged in Commission proceedings such as that involving the rebanding of the 800 MHz band.

<sup>111</sup> See *id.*; *Schoenbohm v. FCC*, 204 F.3d 243, 246-49 (D.C. Cir. 2000), *cert. denied*, 531 U.S. 968 (2000) (affirming the Commission’s denial of an amateur radio operator’s license renewal application based on the licensee’s felony conviction for fraudulently using counterfeit access codes to obtain long distance telephone services, as well as its lack of candor regarding such conviction); *Marc Sobel*, Decision, 17 FCC Rcd. 1872 (EB 2002) (revoking certain licenses based on unauthorized *de facto* transfer of control); *Terry Keith Hammond*, Order to Show Cause, Notice of Opportunity for Hearing, and Hearing Designation Order, 21 FCC Rcd 10267 (EB 2006) (ordering licensee to show cause why license should not be revoked for felony convictions, misrepresentations, and lack of candor violations, and designating renewal application for hearing).

and material issues of fact regarding whether PCSI is qualified to be and remain a Commission licensee. Accordingly, it shall be considered whether the violations, if any, of the Commission's rules that are found to have occurred warrant revocation of PCSI's and PAI's licenses.

### G. Forfeitures

53. Under Section 503(b)(1) of the Communications Act of 1934, as amended (the "Act"), any person who is determined by the Commission to have willfully or repeatedly failed to comply with any provision of the Act or any rule, regulation, or order issued by the Commission shall be liable to the United States for a monetary forfeiture penalty.<sup>112</sup> In order to impose such a forfeiture penalty, the Commission must issue a notice of apparent liability, the notice must be received, and the person against whom the notice has been issued must have an opportunity to show, in writing, why no such forfeiture penalty should be imposed.<sup>113</sup> The Commission will then issue a forfeiture if it finds by a preponderance of the evidence that the person has violated the Act or a Commission rule.<sup>114</sup> As we set forth below, PCSI and PAI may be liable for forfeitures if it is found at the hearing ordered below that they violated the Commission's rules.

54. The Commission's rules allow a base forfeiture of \$8,000 for unauthorized transfers of control; \$4,000 for a failure to file required forms or information; and the statutory maximum for each service for misrepresentation and a lack of candor.<sup>115</sup> Further, the Commission allows a maximum forfeiture of \$130,000 for each violation or each day of a continuing violation, except that the amount assessed shall not exceed \$1,325,000 for any single continuous violation.<sup>116</sup> Section 1.80(b)(4) of the Commission's Rules also specifies that, in determining the amount of a forfeiture penalty, the Commission or its designee will take into account "the nature, circumstances, extent, and gravity of the violations and, with respect to the violator, the degree of culpability, any history of prior offenses, ability to pay, and such other matters as justice may require."<sup>117</sup> Unremedied, unauthorized transfers of control may be considered to be continuous violations,<sup>118</sup> but other violations identified above are likely subject to a statute of limitations.<sup>119</sup> Depending on the violation, the statute of limitations may bar forfeitures, but not license revocation.<sup>120</sup>

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<sup>112</sup> See 47 U.S.C. § 503(b)(1).

<sup>113</sup> See 47 U.S.C. § 503(b)(4).

<sup>114</sup> See, e.g., *SBC Communications, Inc.*, Order of Forfeiture, 17 FCC Rcd. 7589, 7591 (2002).

<sup>115</sup> See 47 C.F.R. § 1.80.

<sup>116</sup> See 47 C.F.R. § 1.80.

<sup>117</sup> 47 C.F.R. § 1.80(b)(4).

<sup>118</sup> See *Lee W. Schubert, Esq.*, Letter, 17 FCC Rcd. 15487 (MB 2002) (issuing \$8,000 forfeiture for continuous violation of unauthorized transfer of control and finding continuous violation); *Danville Television Partnership*, Memorandum Opinion and Order and Notice of Apparent Liability, 16 FCC Rcd. 9314, 9316-9317 (MB 2001) (issuing \$10,000 forfeiture for apparent liability for unauthorized transfer of control and finding continuous violation); *Melvin N. Eleazer*, Memorandum Opinion and Order and Notice of Apparent Liability for Forfeiture, 16 FCC Rcd. 9322, 9325 (MB 2001) (issuing \$8,000 forfeiture for continuous violation of unauthorized transfer of control and finding continuous violation).

<sup>119</sup> See 47 U.S.C. § 503 (b)(6)(B).

<sup>120</sup> See 47 U.S.C. § 503 (b)(6)(B).  
(Continued...)

55. Accordingly, based on all of these factors, it shall be determined, as specified below, whether PCSI may be liable for forfeitures not to exceed \$5,820,000:<sup>121</sup> for violating Sections 1.948 and 1.2110-1.2112 of the Commission's Rules;<sup>122</sup> Section 1.17 of the Commission's Rules; Section 1.65 of the Commission's Rules; and Section 308(b) of the Act, for any such violations that occurred or continued within the applicable statute of limitations.<sup>123</sup>

#### H. Waiver Request

56. Although the referenced Waiver Request, seeking waiver of the construction deadlines for PAI's 38 EA SMR licenses, remains pending, we are not, in the context of this hearing proceeding, designating an issue to determine whether the Waiver Request should be granted. Evidence as to whether the Waiver Request contained misrepresentations and whether PAI failed to maintain its continuing accuracy will be considered herein, only as discussed above. If it is found, based on the totality of the evidence, that PAI is unqualified to be a licensee and its referenced licenses should be revoked,<sup>124</sup> the pending Waiver Request will be rendered moot. Accordingly, the presiding Administrative Law Judge is specifically directed to consider the Waiver Request insofar as it provides probative evidence relating to the issues below. The ultimate disposition of the Waiver Request, however, shall be determined by the Wireless Telecommunications Bureau.<sup>125</sup>

#### I. Effect on PCSI/PAI Licenses in 800 MHz Rebanding

57. We note that all of PCSI and most of PAI's licenses at issue in this proceeding are in the 806-809/851-854 MHz portion of the 800 MHz band, and are therefore subject to relocation as part of the 800 MHz rebanding proceeding to clear the spectrum for relocation of 800 MHz public safety licensees currently operating in the 821-824/866-869 MHz NPSPAC band.<sup>126</sup> Thus, notwithstanding the pendency of this hearing proceeding, PCSI and PAI must relocate from their 806-809/851-854 MHz spectrum holdings in time to allow NPSPAC licensees to relocate into the band by the June 26, 2008 deadline for completion of the rebanding process.<sup>127</sup> Accordingly, the Public Safety and Homeland Security Bureau and the Wireless Telecommunications Bureau

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(Continued from previous page.)

<sup>121</sup> See paragraph 59, *infra*.

<sup>122</sup> 47 C.F.R. §§ 1.948, 1.2110-1.2112.

<sup>123</sup> See 47 U.S.C. § 503(b)(6).

<sup>124</sup> See *supra*, note 2.

<sup>125</sup> We note that PAI remains indebted to the Commission. See *Preferred Acquisitions, Inc.*, Letter, 17 FCC Rcd 15816 (WTB 2002) (advising PAI of debt it owes the Commission); Letter from Claudette E. Pride, Chief, Revenues and Receivable, Operations Group, Office of the Managing Director, to Etta Jalloh, Department of the Treasury, dated August 11, 2004 (referring PAI's debt to the Treasury Department for lack of payment). The Commission's rules require the Commission to withhold action on applications and other requests for benefits when the entity applying for or seeking benefits is delinquent in non-tax debts owed to the Commission, and to dismiss such applications or other request if the delinquency is not resolved. See 47 C.F.R. § 1.1910(b)(3). Also see generally 47 C. F. R. Part 1, Subpart O.

<sup>126</sup> 800 MHz Rebanding R&O, 19 FCC Rcd 15051, ¶ 151.

<sup>127</sup> *Id.* at 19 FCC Rcd 15052, 15055, ¶¶ 153, 159.

will exercise their authority under the 800 MHz rebanding orders to modify PCSI and PAI's licenses as needed to enable NPSPAC licensees in geographic proximity to PCSI/PAI to relocate to the 806-809/851-854 MHz band in accordance with the rebanding schedule.<sup>128</sup>

58. In addition, unless their licenses are revoked or otherwise terminated in this proceeding, PCSI and PAI have the right to relocate from the 806-809/851-854 MHz band to "comparable spectrum" higher up in the 800 MHz band as provided in the rebanding proceeding.<sup>129</sup> In the case of PAI's EA licenses, however, the right to relocate is also contingent on grant of PAI's Waiver Request discussed in Section III.H. above.<sup>130</sup> Therefore, we will defer assigning replacement spectrum to PAI until the conclusion of this proceeding and resolution of the Waiver Request.<sup>131</sup> With respect to the PSCI licenses, the Public Safety and Homeland Security Bureau and the 800 MHz Transition Administrator will provide for relocation of PCSI in accordance with the rebanding rules. Should we determine that PCSI is an unqualified licensee, however, PCSI's relocated licenses will be subject to revocation.

#### IV. ORDERING CLAUSES

59. Accordingly, **IT IS ORDERED**, pursuant to sections 312(a) and 312(c) of the Act,<sup>132</sup> and section 1.91 of the Commission's Rules,<sup>133</sup> that Preferred Acquisitions, Inc., its principals, and by extension its ultimate owner Preferred Communication Systems, Inc., and its principals, shall **SHOW CAUSE** why the referenced licenses **SHOULD NOT BE REVOKED** in a consolidated hearing proceeding.<sup>134</sup> These entities shall appear before an administrative law judge at a time and place to be specified in a subsequent Order and provide evidence upon the following issues:

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<sup>128</sup> *Id.*

<sup>129</sup> See *Improving Public Safety Communications in the 800 MHz Band, et al.*, Supplemental Order and Order on Reconsideration, 19 FCC Rcd. 25120, 2155 ¶ 70 (2004). While PCSI and PAI have the right to comparable spectrum, we note that Sprint Nextel is not required to pay for relocation of PCSI/PAI's facilities. According to its Waiver Request, PAI has not finalized construction and is not currently operating facilities under any of its EA licenses. Waiver Request at 2. Moreover, in the rebanding proceeding, PCSI and PAI have elected to convert from non-cellular to cellularized Enhanced Specialized Mobile Radio (ESMR) operations, which requires them rather than Sprint Nextel to pay for any such conversion. See *Improving Public Safety Communications in the 800 MHz Band, et al.*, Memorandum Opinion and Order, 20 FCC Rcd. 16015, 16026-28 ¶¶ 23-28 (2005).

<sup>130</sup> See paragraph 56, *supra*. If the Waiver Request is denied, PAI's licenses will cancel automatically.

<sup>131</sup> Deferral of relocation does not prejudice PAI because it has no operating facilities for any of its EA licenses and has requested that it not be required to construct and commence operations until after it has been relocated. We direct the Public Safety and Homeland Security Bureau and the 800 MHz Transition Administrator to ensure that replacement spectrum for PAI will be made available in the event that PAI relocates.

<sup>132</sup> 47 U.S.C. § 312(a), (c).

<sup>133</sup> 47 C.F.R. § 1.91.

<sup>134</sup> See *supra*, notes 1-2.

- a. To determine whether Pendleton C. Waugh was an undisclosed real party in interest in filings before the Commission, in willful and/or repeated violation of Section 1.2112 of the Commission's Rules;<sup>135</sup>
- b. To determine whether PCSI engaged in an unauthorized transfer of control, in willful and/or repeated violation of Section 310(d) of the Communications Act of 1934, as amended;<sup>136</sup>
- c. To determine whether PCSI and/or PAI misrepresented material facts to, and/or lacked candor in its dealings, with the Commission, in willful and/or repeated violation of Section 1.17 of the Commission's Rules;<sup>137</sup>
- d. To determine the effect of Pendleton C. Waugh's and Jay R. Bishop's felony convictions on their qualifications and those of PCSI and PAI to be and remain Commission licensees;
- e. To determine whether PCSI and/or PAI failed to maintain the continuing accuracy of filings pending before the Commission in willful and/or repeated violation of Section 1.65 of the Commission's Rules;<sup>138</sup>
- f. To determine whether PCSI failed to respond fully and completely to official requests for information from the Commission, in willful and/or repeated violation of Section 308(b) of the Communications Act of 1934, as amended;<sup>139</sup>
- g. To determine whether, in fact, PCSI discontinued operation of its licenses for more than one year, pursuant to Section 90.157 of the Commission's Rules;<sup>140</sup>
- h. To determine, in light of the evidence adduced pursuant to the foregoing issues, whether the captioned individuals and/or entities are qualified to be and remain Commission licensees;
- i. To determine, in light of the evidence adduced pursuant to the foregoing issue, whether the referenced authorizations should be revoked.

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<sup>135</sup> 47 C.F.R. § 1.2112.

<sup>136</sup> 47 U.S.C. § 310(d).

<sup>137</sup> 47 C.F.R. § 1.17.

<sup>138</sup> 47 C.F.R. § 1.65.

<sup>139</sup> 47 U.S.C. § 308(b).

<sup>140</sup> See 47 C.F.R. § 90.157.



60. **IT IS FURTHER ORDERED**, that, in accordance with section 312(d) of the Act,<sup>141</sup> and section 1.91(d) of the Commission's Rules,<sup>142</sup> the burden of proceeding with the introduction of evidence and the burden of proof with respect to these issues shall be on the Commission's Enforcement Bureau.

61. **IT IS FURTHER ORDERED**, that, irrespective of the resolution of the foregoing issues, it shall be determined, pursuant to section 503(b)(1) of the Act,<sup>143</sup> whether an **ORDER OF FORFEITURE** in the amounts specified herein shall be issued against Preferred Acquisitions, Inc. and Preferred Communication Systems, Inc. with respect to the following apparent willful and/or repeated violations of: Sections 1.948 and 1.2110-1.2112 of the Commission's Rules,<sup>144</sup> in an amount not to exceed \$2,650,000; Section 1.17 of the Commission's Rules, in an amount not to exceed \$260,000; and Section 1.65 of the Commission's Rules, Commission precedent requiring full responses to letters of inquiry, and Sections 4(i), 4(j), 218, 308, and 403, of the Communications Act of 1934, as amended<sup>145</sup> in an amount not to exceed \$2,910,000; for any such violations that occurred or continued within the applicable statute of limitations.<sup>146</sup> The forfeiture, if any, shall be adjusted based upon consideration of the factors enumerated in section 503(b)(2)(D), such as "the nature, circumstances, extent and gravity of the violation, and with respect to the violator, the degree of culpability, any history of prior offenses, ability to pay and such other matters as justice may require."<sup>147</sup>

62. **IT IS FURTHER ORDERED**, that, in connection with the possible forfeiture liability noted above, this document constitutes notice pursuant to section 503(b)(3) of the Act.<sup>148</sup>

63. **IT IS FURTHER ORDERED**, that the Chief, Enforcement Bureau IS MADE A PARTY to this proceeding without the need to file a notice of appearance.

64. **IT IS FURTHER ORDERED**, that a copy of each document filed in this proceeding by Preferred Acquisitions, Inc., and/or Preferred Communication Systems, Inc. **SHALL BE SERVED** on Gary A. Oshinsky and Anjali K. Singh, counsel of record appearing on behalf of the Chief, Enforcement Bureau. Such service **SHALL BE ADDRESSED** to Gary A. Oshinsky and Anjali K. Singh, Investigations and Hearings Division, Enforcement Bureau,

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<sup>141</sup> 47 U.S.C. § 312(d).

<sup>142</sup> 47 C.F.R. § 1.91(d).

<sup>143</sup> 47 U.S.C. § 503(b)(1).

<sup>144</sup> 47 C.F.R. §§ 1.948, 1.2110-1.2112.

<sup>145</sup> See *SBC Communications, Inc.*, Order of Forfeiture, 17 FCC Rcd. 7589 (2002); 47 U.S.C. §§ 154(i), 154(j), 218, 308, and 403.

<sup>146</sup> See 47 U.S.C. § 503(b)(6).

<sup>147</sup> See *Commission's Forfeiture Policy Statement and Amendment of Section 1.80 of the Rules to Incorporate the Forfeiture Guidelines*, Report and Order, 12 FCC Rcd 17087, 17100-01, ¶ 27, 17112 Appendix A (1997), *recon. denied*, 15 FCC Rcd 303 (1999); see also 47 C.F.R. § 1.80(b).

<sup>148</sup> 47 U.S.C. § 503(b)(3).

Federal Communications Commission, 445 12<sup>th</sup> Street, S.W., Room 4-C330, Washington, D.C. 20554.

65. **IT IS FURTHER ORDERED**, that, to avail themselves of the opportunity to be heard and the right to present evidence at a hearing in these proceedings, pursuant to sections 1.91(c) and 1.221 of the Commission's Rules,<sup>149</sup> each of the captioned individuals and entities, in person or by attorney, shall file within 30 calendar days of the release of this Order, a written appearance in triplicate stating that they will appear at the hearing and present evidence on matters specified in this Order. If any of the captioned individuals or entities fails to file a written notice of appearance within the time specified, or a petition to accept, for good cause shown, such written appearance beyond the expiration of the 30-day time period, the right to a hearing on the issues in this proceeding shall be deemed to be waived.<sup>150</sup> In the event that a hearing on the issues is waived, the Chief Administrative Law Judge (or presiding officer if one has been designated) shall, at the earliest practicable date, issue an order terminating the hearing proceeding and certifying the case to the Commission.<sup>151</sup>

66. **IT IS FURTHER ORDERED**, that a copy of this *Order* shall be sent by Certified Mail, Return Receipt Requested, and by regular first class mail to Preferred Acquisitions, Inc., and Preferred Communication Systems, Inc. to the attention of Charles M. Austin, at 6311 North O'Connor Boulevard N24, Irving, Texas 75039, and Charles J. Ryan, III, Attorney At Law, Post Office Box 4782, Upper Marlboro, Maryland, 20775.

67. **IT IS FURTHER ORDERED**, that the Secretary of the Commission shall cause to have this Order or a summary thereof published in the Federal Register.

FEDERAL COMMUNICATIONS COMMISSION

Marlene H. Dortch  
Secretary

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<sup>149</sup> 47 C.F.R. §§ 1.91, § 1.221.

<sup>150</sup> See 47 C.F.R. § 1.92(a).

<sup>151</sup> See 47 C.F.R. § 1.92(c).

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
CenturyLink	)	IC No. 10-S0298078
	)	
Complaint Regarding	)	
Unauthorized Change of	)	
Subscriber's Telecommunications Carrier	)	

**ORDER**

**Adopted: April 26, 2011**

**Released: April 29, 2011**

By the Deputy Chief, Consumer Policy Division, Consumer & Governmental Affairs Bureau:

1. In this Order, we consider the complaint<sup>1</sup> alleging that CenturyLink changed Complainant's telecommunications service provider without obtaining authorization and verification from Complainant in violation of the Commission's rules.<sup>2</sup> We conclude that CenturyLink's actions violated the Commission's carrier change rules and we grant Complainant's complaint.

2. In December 1998, the Commission released the *Section 258 Order* in which it adopted rules to implement Section 258 of the Communications Act of 1934 (Act), as amended by the Telecommunications Act of 1996 (1996 Act).<sup>3</sup> Section 258 prohibits the practice of

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<sup>1</sup> Informal Complaint No. IC 10-S0298078, filed April 27, 2010.

<sup>2</sup> See 47 C.F.R. §§ 64.1100 – 64.1190.

<sup>3</sup> 47 U.S.C. § 258(a); Telecommunications Act of 1996, Pub. L. No. 104-104, 110 Stat. 56 (1996); *Implementation of the Subscriber Carrier Selection Changes Provisions of the Telecommunications Act of 1996; Policies and Rules Concerning Unauthorized Changes of Consumers' Long Distance Carriers*, CC Docket No. 94-129, Second Report and Order and Further Notice of Proposed Rule Making, 14 FCC Rcd 1508 (1998) (*Section 258 Order*), *stayed in part*, *MCI WorldCom v. FCC*, No. 99-1125 (D.C. Cir. May 18, 1999); First Order on Reconsideration, 15 FCC Rcd 8158 (2000); *stay lifted*, *MCI WorldCom v. FCC*, No. 99-1125 (D.C. Cir. June 27, 2000); Third Report and Order and Second Order on Reconsideration, 15 FCC Rcd 15996 (2000), Errata, DA No. 00-2163 (rel. Sept. 25, 2000), Erratum, DA No. 00-2192 (rel. Oct. 4, 2000), Order, FCC 01-67 (rel. Feb. 22, 2001); Third Order on Reconsideration and Second Further Notice of Proposed Rule Making, 18 FCC Rcd 5099 (2003); Order, 18 FCC Rcd 10997 (2003); Fourth Report and Order, 23 FCC Rcd 493 (2008). Prior to the adoption of Section 258, the Commission had taken various steps to address the slamming problem. See, e.g., *Policies and Rules Concerning Unauthorized Changes of Consumers' Long Distance Carriers*, CC Docket No. 94-129, Report and Order, 10 FCC Rcd 9560 (1995), *stayed in part*, 11 FCC Rcd 856 (1995); *Policies and Rules Concerning Changing Long Distance Carriers*, CC Docket No. 91-64, 7 FCC Rcd 1038 (1992), *reconsideration denied*, 8 FCC Rcd 3215 (1993); Investigation of Access and Divestiture Related Tariffs, CC Docket No. 83-1145, Phase I, 101 F.C.C.2d 911, 101 F.C.C.2d 935, *reconsideration denied*, 102 F.C.C.2d 503 (1985).

“slamming,” the submission or execution of an unauthorized change in a subscriber’s selection of a provider of telephone exchange service or telephone toll service.<sup>4</sup> In the *Section 258 Order*, the Commission adopted aggressive new rules designed to take the profit out of slamming, broadened the scope of the slamming rules to encompass all carriers, and modified its existing requirements for the authorization and verification of preferred carrier changes. The rules require, among other things, that a carrier receive individual subscriber consent before a carrier change may occur.<sup>5</sup> Pursuant to Section 258, carriers are absolutely barred from changing a customer's preferred local or long distance carrier without first complying with one of the Commission's verification procedures.<sup>6</sup> Specifically, a carrier must: (1) obtain the subscriber's written or electronically signed authorization in a format that meets the requirements of Section 64.1130 authorization; (2) obtain confirmation from the subscriber via a toll-free number provided exclusively for the purpose of confirming orders electronically; or (3) utilize an independent third party to verify the subscriber's order.<sup>7</sup>

3. The Commission also has adopted liability rules. These rules require the carrier to absolve the subscriber where the subscriber has not paid his or her bill. In that context, if the subscriber has not already paid charges to the unauthorized carrier, the subscriber is absolved of liability for charges imposed by the unauthorized carrier for service provided during the first 30 days after the unauthorized change.<sup>8</sup> Where the subscriber has paid charges to the unauthorized carrier, the Commission’s rules require that the unauthorized carrier pay 150% of those charges to the authorized carrier, and the authorized carrier shall refund or credit to the subscriber 50% of all charges paid by the subscriber to the unauthorized carrier.<sup>9</sup> Carriers should note that our actions in this order do not preclude the Commission from taking additional action, if warranted, pursuant to Section 503 of the Act.<sup>10</sup>

4. We received Complainant’s complaint on April 27, 2010, alleging that Complainant’s telecommunications service provider had been changed to MCI, Inc. (MCI) without Complainant’s authorization. Pursuant to Sections 1.719 and 64.1150 of our rules,<sup>11</sup> we

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<sup>4</sup> 47 U.S.C. § 258(a).

<sup>5</sup> See 47 C.F.R. § 64.1120.

<sup>6</sup> 47 U.S.C. § 258(a).

<sup>7</sup> See 47 C.F.R. § 64.1120(c). Section 64.1130 details the requirements for letter of agency form and content for written or electronically signed authorizations. 47 C.F.R. § 64.1130.

<sup>8</sup> See 47 C.F.R. §§ 64.1140, 64.1160. Any charges imposed by the unauthorized carrier on the subscriber for service provided after this 30-day period shall be paid by the subscriber to the authorized carrier at the rates the subscriber was paying to the authorized carrier at the time of the unauthorized change. *Id.*

<sup>9</sup> See 47 C.F.R. §§ 64.1140, 64.1170.

<sup>10</sup> See 47 U.S.C. § 503.

<sup>11</sup> 47 C.F.R. § 1.719 (Commission procedure for informal complaints filed pursuant to Section 258 of the Act); 47 C.F.R. § 64.1150 (procedures for resolution of unauthorized changes in preferred carrier).

notified MCI of the complaint, and Verizon responded on behalf of MCI on July 2, 2010.<sup>12</sup> Based on Verizon's response and pursuant to Sections 1.719 and 64.1150 or our rules,<sup>13</sup> we notified CenturyLink of the complaint. CenturyLink has failed to respond to the complaint within 30 days.<sup>14</sup> The failure of CenturyLink to respond or provide proof of the verification is presumed to be clear and convincing evidence of a violation.<sup>15</sup> Therefore, we find that CenturyLink's actions resulted in a violation of our carrier change rules and we discuss CenturyLink's liability below.<sup>16</sup> We also will forward a copy of the record of this proceeding to our Enforcement Bureau to determine what additional action may be necessary.

5. CenturyLink must remove all charges incurred for service provided to Complainant for the first thirty days after the alleged unauthorized change in accordance with the Commission's liability rules.<sup>17</sup> We have determined that Complainant is entitled to absolution for the charges incurred during the first thirty days after the unauthorized change occurred and that CenturyLink may not pursue any collection against Complainant for those charges.<sup>18</sup> Any charges imposed by CenturyLink on the subscriber for service provided after this 30-day period shall be paid by the subscriber to their authorized carrier at the rates the subscriber was paying at the time of the unauthorized change.<sup>19</sup>

6. Accordingly, IT IS ORDERED that, pursuant to Section 258 of the Communications Act of 1934, as amended, 47 U.S.C. § 258, and Sections 0.141, 0.361 and 1.719 of the Commission's rules, 47 C.F.R. §§ 0.141, 0.361, 1.719, the complaint filed against CenturyLink IS GRANTED.

7. IT IS FURTHER ORDERED that, pursuant to Section 64.1170(d) of the Commission's rules, 47 C.F.R. § 64.1170(d), Complainant is entitled to absolution for the

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<sup>12</sup> Verizon's Response to Informal Complaint No. IC 10-S0298078, received July 2, 2010. MCI and Verizon merged in 2006, but MCI remains a separate entity.

<sup>13</sup> 47 C.F.R. § 1.719 (Commission procedure for informal complaints filed pursuant to Section 258 of the Act); 47 C.F.R. § 64.1150 (procedures for resolution of unauthorized changes in preferred carrier).

<sup>14</sup> Notice of Informal Complaint IC 10-S0298078 was mailed on January 20, 2011. The Commission received the certified mail return receipt confirming delivery was made, and the U.S. Postal "Track and Confirm" system confirms that delivery was made on January 24, 2011.

<sup>15</sup> See 47 C.F.R. § 64.1150(d).

<sup>16</sup> If Complainant is unsatisfied with the resolution of this complaint, Complainant may file a formal complaint with the Commission pursuant to Section 1.721 of the Commission's rules, 47 C.F.R. § 1.721. Such filing will be deemed to relate back to the filing date of Complainant's informal complaint so long as the formal complaint is filed within 45 days from the date this order is mailed or delivered electronically to Complainant. See 47 C.F.R. § 1.719.

<sup>17</sup> See 47 C.F.R. § 64.1160(b).

<sup>18</sup> See 47 C.F.R. § 64.1160(d).

<sup>19</sup> See 47 C.F.R. §§ 64.1140, 64.1160.



charges incurred during the first thirty days after the unauthorized change occurred and CenturyLink may not pursue any collection against Complainant for those charges.

8. IT IS FURTHER ORDERED that this Order is effective upon release.

FEDERAL COMMUNICATIONS COMMISSION

Nancy A. Stevenson, Deputy Chief  
Consumer Policy Division  
Consumer & Governmental Affairs Bureau

# Exhibit H

## FCC Chapter 47

Page H-0001 - §1.17 Truthful and accurate statements to the Commission.

Page H-0002 to 4 §1.724 Answers.

### **§1.17 Truthful and accurate statements to the Commission.**

(a) In any investigatory or adjudicatory matter within the Commission's jurisdiction (including, but not limited to, any informal adjudication or informal investigation but excluding any declaratory ruling proceeding) and in any proceeding to amend the FM or Television Table of Allotments (with respect to expressions of interest) or any tariff proceeding, no person subject to this rule shall;

(1) In any written or oral statement of fact, intentionally provide material factual information that is incorrect or intentionally omit material information that is necessary to prevent any material factual statement that is made from being incorrect or misleading; and

(2) In any written statement of fact, provide material factual information that is incorrect or omit material information that is necessary to prevent any material factual statement that is made from being incorrect or misleading without a reasonable basis for believing that any such material factual statement is correct and not misleading.

(b) For purpose of paragraph (a) of this section, "persons subject to this rule" shall mean the following:

(1) Any applicant for any Commission authorization;

(2) Any holder of any Commission authorization, whether by application or by blanket authorization or other rule;

(3) Any person performing without Commission authorization an activity that requires Commission authorization;

(4) Any person that has received a citation or a letter of inquiry from the Commission or its staff, or is otherwise the subject of a Commission or staff investigation, including an informal investigation;

(5) In a proceeding to amend the FM or Television Table of Allotments, any person filing an expression of interest; and

(6) To the extent not already covered in this paragraph (b), any cable operator or common carrier.

## **§1.724 Answers.**

(a) Subject to paragraph (k) of this section governing Accelerated Docket proceedings, any carrier upon which a copy of a formal complaint is served shall answer such complaint in the manner prescribed under this section within twenty days of service of the formal complaint by the complainant, unless otherwise directed by the Commission.

(b) The answer shall advise the complainant and the Commission fully and completely of the nature of any defense, and shall respond specifically to all material allegations of the complaint. Every effort shall be made to narrow the issues in the answer. The defendant shall state concisely its defense to each claim asserted, admit or deny the averments on which the complainant relies, and state in detail the basis for admitting or denying such averment. General denials are prohibited. Denials based on information and belief are expressly prohibited unless made in good faith and accompanied by an affidavit explaining the basis for the defendant's belief and why the defendant could not reasonably ascertain the facts from the complainant or any other source. If the defendant is without knowledge or information sufficient to form a belief as to the truth of an averment, the defendant shall so state and this has the effect of a denial. When a defendant intends in good faith to deny only part of an averment, the defendant shall specify so much of it as is true and shall deny only the remainder. The defendant may deny the allegations of the complaint as specific denials of either designated averments or paragraphs.

(c) The answer shall contain proposed findings of fact, conclusions of law, and legal analysis relevant to the claims and arguments set forth in the answer.

(d) Averments in a complaint or supplemental complaint filed pursuant to §1.722 are deemed to be admitted when not denied in the answer.

(e) Affirmative defenses to allegations contained in the complaint shall be specifically captioned as such and presented separately from any denials made in accordance with paragraph (c) of this section.

(f) The answer shall include an information designation containing:

(1) The name, address, and position of each individual believed to have firsthand knowledge of the facts alleged with particularity in the answer, along with a description of the facts within any such individual's knowledge;

(2) A description of all documents, data compilations and tangible things in the defendant's possession, custody, or control, that are relevant to the facts alleged with particularity in the answer. Such description shall include for each document:

(i) The date it was prepared, mailed, transmitted, or otherwise disseminated;

(ii) The author, preparer, or other source;

(iii) The recipient(s) or intended recipient(s);

(iv) Its physical location; and

(v) A description of its relevance to the matters in dispute.

(3) A complete description of the manner in which the defendant identified all persons with information and designated all documents, data compilations and tangible things as being relevant to the dispute, including, but not limited to, identifying the individual(s) that conducted the information search and the criteria used to identify such persons, documents, data compilations, tangible things, and information;

(g) The answer shall attach copies of all affidavits, documents, data compilations and tangible things in the defendant's possession, custody, or control, upon which the defendant relies or intends to rely to support the facts alleged and legal arguments made in the answer.

(h) The answer shall contain certification that the defendant has, in good faith, discussed or attempted to discuss, the possibility of settlement with the complainant prior to the filing of the formal complaint. Such certification shall include a brief summary of all steps taken to resolve the dispute prior to the filing of the formal complaint. If no such steps were taken, such certificate shall state the reason(s) why the defendant believed such steps would be fruitless;

(i) Where the complaint is filed pursuant to 47 U.S.C. 271(d)(6)(B), the defendant shall clearly indicate its willingness to waive the 90-day resolution deadline contained within 47 U.S.C. 271(d)(6)(B), in accordance with the requirements of §1.736.

(j) The defendant may petition the staff, pursuant to §1.3, for a waiver of any of the requirements of this section. Such waiver may be granted for good cause shown.

(k) Accelerated Docket Proceedings. For the purpose of this paragraph (k), the term document also shall include data compilations and tangible things.

(1) Any party named as a defendant in an Accelerated Docket formal complaint shall answer such complaint in the manner prescribed under this section within ten days of service of the complaint by the complainant, unless otherwise directed by the Commission. Except as set forth in this paragraph (k), answers in Accelerated Docket proceedings shall comply with the requirements of this section.

(2) The requirement in §1.720(c) and paragraph (g) of this section that factual assertions be supported by affidavit shall not apply to answers in Accelerated Docket proceedings. Nevertheless, allegations of material fact, whether based on personal knowledge or information and belief, that cannot be supported by documentation remain subject to the provisions of §1.52.

(3) Answers on the Accelerated Docket are not required to include proposed findings of fact, conclusions of law, and legal analysis relevant to the defenses and arguments set forth in the answer, as required in paragraph (c) of this section. Nevertheless, answers on the Accelerated Docket shall fully set out the facts and legal theories on which the defendant premises its defenses.



(4) In light of the requirement for staff-supervised settlement negotiations required in §1.730(b), answers on the Accelerated Docket are not required to include a certification that the defendant has discussed, or attempted to discuss, the possibility of settlement with the complainant, as required in paragraph (h) of this section.

(5) As required in §1.729(i)(1), answers on the Accelerated Docket shall be accompanied, when served on complainants, by copies of documents, within the defendant's possession, custody or control, that are likely to bear significantly on the issues raised in the proceeding. Unless otherwise directed, these documents shall not be filed with the Commission. In light of this automatic document production requirement, answers on the Accelerated Docket are not required to include a description of all relevant documents in the defendant's possession, custody or control, as required in paragraph (f)(2) of this section.

(6) Answers on the Accelerated Docket are not required to provide the description, required in paragraph (f)(3) of this section, of the manner in which the defendant identified persons with knowledge of, and documents relevant to, the dispute.

(7) In Accelerated Docket proceedings, the defendant, as required in §1.729(i)(1), shall serve, contemporaneously with its answer, the complainant(s) with copies of documents, within the defendant's possession, custody or control, that are likely to bear significantly on the issues raised in the complaint and/or the answer.

[53 FR 11853, Apr. 11, 1988, as amended at 58 FR 25572, Apr. 27, 1993; 63 FR 1037, Jan. 7, 1998; 63 FR 41446, Aug. 4, 1998; 66 FR 16617, Mar. 27, 2001]